



SECTION 2

JUDICIARY.

Supreme Judicial Court.

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| 0320-0003 | For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices | \$7,783,707 |
| 0320-0010 | For the operation of the clerk's office of the supreme judicial court for Suffolk county | \$1,174,133 |
| 0321-0001 | For the operation of the commission on judicial conduct | \$402,657 |
| 0321-0100 | For the services of the board of bar examiners..... | \$1,111,341 |

Committee for Public Counsel Services.

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| 0321-1500 | For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws; provided, that the committee shall submit a report to the clerks of the house of representatives and senate and the house and senate committees on ways and means not later than February 1, 2010, that shall include, but not be limited to, the following: (a) the number of clients assisted by the committee in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population and cost; (c) the total number of persons who received legal services by the committee, by type of case and geographic location; (d) the costs for services rendered per client, by type of case and geographic location; (e) the amount paid, if any, to the committee by clients for services rendered by type of case and geographic location; (f) the average cost for services rendered by the committee by type of case; and (g) the average number of hours spent per attorney or staff per type of case | \$25,480,533 |
| 0321-1510 | For compensation paid to private counsel assigned to criminal and civil cases under subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than \$2,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010 | \$122,100,783 |
| 0321-1518 | For the chief counsel for the committee for public services which may expend an amount not to exceed \$750,000 from revenues collected from fees charged for attorney representation of indigent clients | \$750,000 |
| 0321-1520 | For fees and costs as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that not more than \$1,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010..... | \$9,967,165 |
| 0321-1600 | For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 29, 2010 that shall include, but not be limited to, the following: (a) the number of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population, and cost; and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth who | |



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| | received services of the corporation, by type of case and geographic location; and provided further, that the corporation may contract with any organization for the purpose of providing the representation | \$6,000,000 |
| 0321-2000 | For the operation of the mental health legal advisors committee and for certain programs for the indigent mentally ill, established pursuant to section 34E of chapter 221 of the General Laws..... | \$707,599 |
| 0321-2100 | For the Massachusetts correctional legal services committee | \$877,016 |
| 0321-2205 | For the expenses of the social law library located in Suffolk county..... | \$933,737 |
| <i>Appeals Court.</i> | | |
| 0322-0100 | For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices..... | \$10,627,256 |
| <i>Trial Court.</i> | | |
| 0330-0101 | For the salaries of the justices of the 7 departments of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfer of funds from this item to any other item of appropriation within 30 days of the transfer..... | \$49,836,452 |
| 0330-0300 | For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreement, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rental and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, alternative dispute resolution services, permanency mediation services, court security and judicial training; provided, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran, who holds a trial court office or position in the service of the commonwealth not classified under chapter 31, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30, and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 11, 2010 | \$188,762,543 |
| 0330-3333 | For the chief justice for administration and management which may expend for the operation of the trial court an amount not to exceed \$27,000,000 from fees charged and collected pursuant to section 3 of chapter 90C, chapter 185, section 22 of chapter 218 and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided, that a schedule detailing the full allotment of said \$27,000,000 | |



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| | shall be submitted to the house and senate committees on ways and means not later than February 1, 2010; provided further, that the first \$53,000,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify for payments amounts not to exceed the lower of one half of this authorization or the most recent revenue estimate, as reported in the state accounting system | \$27,000,000 |
| 0330-3334 | For the chief justice for administration and management which may expend for the operation of the department an amount not to exceed \$29,000,000 from fees charged and collected under section 87A of chapter 276 of the General Laws; provided, that a schedule detailing the full allotment of said \$29,000,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010 | \$29,000,000 |
| 0330-3337 | For additional expenses associated with the operation of the trial court; provided, that a schedule detailing all transfers shall be submitted to the house and senate committees on ways and means not later than February 1, 2010 | \$11,192,192 |
| <i>Superior Court Department.</i> | | |
| 0331-0100 | For the operation of the superior court department; provided, that funds shall be expended for the medical malpractice tribunals in accordance with section 60B of chapter 231 of the General Laws; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping..... | \$21,740,332 |
| <i>District Court Department.</i> | | |
| 0332-0100 | For the operation of the district court department, including a civil conciliation program | \$36,312,991 |
| <i>Probate and Family Court Department.</i> | | |
| 0333-0002 | For the operation of the probate and family court department | \$19,673,841 |
| <i>Land Court Department.</i> | | |
| 0334-0001 | For the operation of the land court department..... | \$2,214,118 |
| <i>Boston Municipal Court Department.</i> | | |
| 0335-0001 | For the operation of the Boston municipal court department | \$7,172,575 |
| <i>Housing Court Department.</i> | | |
| 0336-0002 | For the operation of the housing court department | \$3,975,411 |
| <i>Juvenile Court Department.</i> | | |
| 0337-0002 | For the operation of the juvenile court department..... | \$10,881,680 |



Office of the Commissioner of Probation.

0339-1001 For the office of the commissioner of probation and trial court office of community corrections; provided, that notwithstanding any general or special law, rule or regulation to the contrary, the commissioner, subject to appropriation, shall have exclusive authority to appoint, dismiss, assign and discipline probation officers, associate probation officers, probation officers-in-charge, assistant chief probation officers and chief probation officers; provided further, that the associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation service subject to collective bargaining agreements to perform intensive, community-based supervision of probationers, including the provisions of intensive supervision and community restraint services; provided further, that funds from this item shall be expended for the costs associated with full implementation of chapters 303 and 418 of the acts of 2006 to ensure effective supervision of probationers who are monitored through global positioning system bracelets; provided further, that no funds shall be expended from this line item to cover the costs of building leases; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to utilize the department's wage reporting and bank match system for the purpose of weekly tape-matching, for the purposes of determining an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws; provided further, that the office shall submit quarterly reports to the house and senate committees on ways and means detailing the progress of eligibility verification with the department; provided further, that the report shall include, but not be limited to, the number of individuals to be found misrepresenting assets, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case since the effective date of this act, recommendations on improvements in verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification; provided further, that the intensive supervision and community corrections programs shall include, but not be limited to, tracking, community service, educational assistance, drug and alcohol testing and treatment, curfew enforcement, home confinement, day reporting, means-tested fines, restitution, and community incapacitation or restraint; and provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers..... \$151,331,833

Office of the Jury Commissioner.

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws \$2,412,913

Suffolk District Attorney.

0340-0100 For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the domestic violence unit and the children's advocacy center; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case;



and (c) summary of dispositions or statuses thereof; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$15,188,357

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district attorney's office\$337,431

General Fund 70.00%
Highway Fund 30.00%

Middlesex District Attorney.

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the



following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$13,038,535

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office\$491,890

General Fund 70.00%
Highway Fund 30.00%

Eastern District Attorney.

0340-0300 For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; and provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program.....\$8,011,057

0340-0301 For the overtime costs of state police officers assigned to the Eastern district attorney's office\$480,334

General Fund 70.00%
Highway Fund 30.00%



Worcester District Attorney.

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| 0340-0400 | For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer | \$8,466,451 |
| 0340-0401 | For the overtime costs of state police officers assigned to the Worcester district attorney's office | \$393,809 |
| | General Fund | 70.00% |
| | Highway Fund | 30.00% |
| 0340-0410 | For the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts Medical School in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments | \$400,000 |

Hampden District Attorney.

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| 0340-0500 | For the Hampden district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, |
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which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$7,623,079

0340-0501 For the overtime costs of state police officers assigned to the Hampden district attorney's office\$323,713

General Fund 70.00%
Highway Fund 30.00%

Hampshire/Franklin District Attorney

0340-0600 For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were



used in said fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$4,746,396

0340-0601 For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office\$280,236

General Fund 70.00%
Highway Fund 30.00%

Norfolk District Attorney.

0340-0700 For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$7,810,091



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| 0340-0701 | For the overtime costs of state police officers assigned to the Norfolk district attorney's office | \$406,958 |
| | General Fund | 70.00% |
| | Highway Fund | 30.00% |

Plymouth District Attorney.

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| 0340-0800 | For the Plymouth district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer | \$6,774,559 |
| 0340-0801 | For the overtime costs of state police officers assigned to the Plymouth district attorney's office | \$409,373 |
| | General Fund | 70.00% |
| | Highway Fund | 30.00% |

Bristol District Attorney.

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| 0340-0900 | For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, | |
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which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$7,048,574

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office\$310,779

General Fund 70.00%
Highway Fund 30.00%

Cape and Islands District Attorney.

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided further, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the



benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts' district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$3,445,389

0340-1001 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office\$265,462

General Fund 70.00%
Highway Fund 30.00%

Berkshire District Attorney.

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$3,354,920



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| 0340-1101 | For the overtime costs of state police officers assigned to the Berkshire district attorney's office | \$204,882 |
| | General Fund | 70.00% |
| | Highway Fund | 30.00% |

DISTRICT ATTORNEYS' ASSOCIATION.

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| 0340-2100 | For the Massachusetts District Attorneys' Association which may expend for its operation an amount not to exceed \$1,580,958 in revenues collected from voluntary contributions from the 11 district attorneys of the commonwealth; provided, that each district attorney shall submit a report to the Massachusetts District Attorneys Association and the house and senate committees on ways and means delineating all funds expended for the purpose of implementing the case management and tracking system not later than January 30, 2010; provided further, that the report shall include, but not be limited to: an analysis of the total cost of the district attorneys' computer network; the total cost incurred by each district attorney's office; a detailed list of all hardware and software leased, owned or operated by each district attorney; a plan for any purchases to be made in the remainder of fiscal year 2009; and a detailed summary of any policies implemented to contain the costs of the network by either the Massachusetts District Attorneys Association or the individual district attorneys' offices; and provided further, that the association shall submit a report to the house and senate committees on ways and means not later than January 31, 2010, detailing, by district attorney's office, sources and amounts of revenue, including, but not limited to, federal and state grants that were received in fiscal year 2009 | \$1,580,958 |
| 0340-8908 | For the costs associated with maintaining the Massachusetts District Attorneys Association's wide area network..... | \$1,053,440 |

EXECUTIVE.

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| 0411-1000 | For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient; provided further, that funds may be expended for the governor's commission on mental retardation; and provided further, that the advisory council on Alzheimer's disease and related disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2010 | \$4,952,646 |
| 0411-1005 | For the operation of the office of the child advocate | \$243,564 |

SECRETARY OF THE COMMONWEALTH.

Office of the Secretary of the Commonwealth.

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| 0511-0000 | For the operation of the office of the secretary; provided, that the office shall submit a report detailing staffing patterns for each program operated by the office; provided further, that the report shall include, but not be limited to, actual and functional job titles by program and compensation rates and lengths of service for each employee; provided further, that the office shall submit the report not later than February 1, 2010, to the house and senate committees on ways and means; provided further, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540- | |
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| | 1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to any regulation or standard established by the secretary of state or the records conservation board; and provided further, that those regulations shall be issued not later than June 30, 2010 | \$6,355,331 |
| 0511-0001 | For the secretary of state which may expend revenues not to exceed \$30,000 from the sale of merchandise at the Massachusetts state house gift shop for the purpose of replenishing and restocking gift shop inventory..... | \$30,000 |
| 0511-0200 | For the operation of the state archives division | \$389,815 |
| 0511-0230 | For the operation of the records center | \$37,337 |
| 0511-0250 | For the operation of the archives facility | \$310,478 |
| 0511-0260 | For the operation of the commonwealth museum..... | \$251,220 |
| 0511-0270 | For the secretary of state who may contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates..... | \$1,073,736 |
| 0511-0420 | For the operation of the address confidentiality program..... | \$145,308 |
| 0517-0000 | For the printing of public documents..... | \$800,000 |
| 0521-0000 | For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education; provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations; and provided further, that the secretary shall submit a report to the house and senate committees on ways and means not later than February 1, 2010, detailing the amount appropriated for the purposes of providing reimbursements for the costs of extended polling hours from this item to each city or town | \$2,264,031 |
| 0521-0001 | For the operation of the central voter registration computer system; provided, that an annual report detailing voter registration activity shall be submitted to the house and senate committees on ways and means on or before February 1, 2010 | \$3,809,248 |
| 0524-0000 | For providing information to voters..... | \$271,871 |
| 0526-0100 | For the operation of the Massachusetts historical commission..... | \$600,000 |
| 0527-0100 | For the operation of the ballot law commission | \$11,018 |
| 0528-0100 | For the operation of the records conservation board..... | \$35,119 |
| 0540-0900 | For the registry of deeds located in Lawrence in the former county of Essex | \$1,103,998 |
| 0540-1000 | For the registry of deeds located in Salem in the former county of Essex | \$2,933,894 |
| 0540-1100 | For the registry of deeds in the former county of Franklin..... | \$487,561 |



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| 0540-1200 | For the registry of deeds in the former county of Hampden..... | \$1,827,990 |
| 0540-1300 | For the registry of deeds in the former county of Hampshire..... | \$511,582 |
| 0540-1400 | For the registry of deeds located in Lowell in the former county of Middlesex | \$1,208,477 |
| 0540-1500 | For the registry of deeds located in Cambridge in the former county of Middlesex | \$3,128,511 |
| 0540-1600 | For the registry of deeds located in Adams in the former county of Berkshire | \$278,586 |
| 0540-1700 | For the registry of deeds located in Pittsfield in the former county of Berkshire | \$474,287 |
| 0540-1800 | For the registry of deeds located in Great Barrington in the former county of Berkshire | \$234,535 |
| 0540-1900 | For the registry of deeds in the former county of Suffolk | \$1,950,823 |
| 0540-2000 | For the registry of deeds located in Fitchburg in the former county of Worcester | \$726,432 |
| 0540-2100 | For the registry of deeds located in the city of Worcester in the former county of Worcester..... | \$2,345,612 |

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver General.

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| 0610-0000 | For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided further, that the report shall be submitted to the board on or before January 30, 2010; provided further, that funds may be expended for the payment of bank fees; provided further, that payments shall be made to public safety employees killed in the line of duty pursuant to section 100A of chapter 32 of the General Laws; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item..... | \$9,599,373 |
| 0610-0050 | For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that said commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that said commission shall work and cooperate with the Alcohol, Tobacco, and Firearms division of the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the commission is directed to seek out matching federal dollars and to apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages | \$2,057,305 |
| 0610-0140 | For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on the | |



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| | Commonwealth's General and Stabilization Fund investments | \$22,250 |
| 0610-2000 | For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005; provided, that the office of the state treasurer may expend not more than \$150,000 for costs incurred in the administration of these payments | \$3,155,604 |
| 0611-1000 | For bonus payments to war veterans..... | \$44,500 |
| <i>Lottery Commission.</i> | | |
| 0640-0000 | For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund | \$77,172,416 |
| 0640-0005 | For the costs associated with the continued implementation of monitor games; provided, that any sums expended on promotional activities shall be limited to point-of-sale promotions and agent newsletters; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery fund to the General Fund | \$2,875,484 |
| 0640-0010 | For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund..... | \$2,000,000 |
| 0640-0096 | For the purpose of the commonwealth's fiscal year 2010 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 254, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund | \$355,945 |

MASSACHUSETTS CULTURAL COUNCIL.

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| 0640-0300 | For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that funds appropriated herein shall be used to assist cultural organizations in augmenting or initiating endowments to promote the financial stability of the organizations and the assistance shall be in the form of challenge grants to the organizations; provided further, that in order to receive a grant a cultural organization shall raise an amount at least equal to the amount of the grant for the organization's endowment; provided further, that funds provided by the grants |
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shall, in perpetuity, be used solely to provide free or reduced rate public programs or services to citizens of the commonwealth; provided further, that a grant made under this program shall not exceed \$100,000; provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; and provided further, that funds shall be provided for the Local Cultural Council Grant Program \$5,392,945

Debt Service

- 0699-0015 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and item 0699-0016; provided further, that the payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2010, from item 0699-0015 to items 0699-9100, 0699-2004 and 0699-0016 or from items 0699-9100, 0699-2004 and 0699-0016 to item 0699-0015 which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2010; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; and provided further, that payments on bonds issued pursuant to section 2O of said chapter 29 shall be paid from this item and shall be charged to the Infrastructure sub-fund of the Highway Fund \$1,870,000,000
- General Fund 60.0%
Highway Fund 40.0%
- 0699-0016 For the payment of interest, discount and principal on certain indebtedness incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge program \$12,000,000
- Highway Fund 100.0%
- 0699-2004 For the payment of interest, discount and principal on certain indebtedness which may be incurred for financing the central artery/third harbor tunnel funding shortfall \$91,719,000
- Highway Fund 100.0%
- 0699-9100 For the payment of costs associated with any bonds, notes or other obligations of the commonwealth, including issuance costs interest on bonds, bond and revenue anticipation notes, commercial paper, and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws and for the payment to the United States pursuant to section 148 of the Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with respect to any bonds or notes or other obligations of the commonwealth; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of costs among the various funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds in accordance with the schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 2010 shall be charged to the various funds or to the General Fund or Highway Fund debt service reserves \$52,104,529
- 0699-9101 For the purpose of depositing with the trustee under the trust agreement authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the interest due on notes of the commonwealth issued pursuant to section 9 of said



chapter 11 and secured by the Federal Highway Grant Anticipation Note Trust
Fund \$36,694,000

Highway Fund 100.0%

STATE AUDITOR.

Office of the State Auditor.

0710-0000 For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws and shared oversight of the central artery/third harbor tunnel project..... \$15,137,016

0710-0100 For the operation of the division of local mandates.....\$391,384

0710-0200 For the operation of the bureau of special investigations; provided, that the office shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the office of the state auditor, the total value of settlement restitution payments, actual monthly collections, and any circumstances that produce shortfalls in collections.....\$1,647,654

0710-0225 For the operation of the Medicaid audit unit within the division of audit operations in an effort to prevent and to identify fraud and abuse in the MassHealth system; provided, that the federal reimbursement for any expenditure from this item shall not be less than 50 per cent; and provided further, that the division shall submit a report no later than December 1, 2009 to the house and senate committee on ways and means detailing all findings on activities and payments made through the MassHealth system.....\$790,702

ATTORNEY GENERAL.

Office of the Attorney General.

0810-0000 For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness compensation program shall be administered in accordance with chapters 258B and 258C of the General Laws; and provided further, that the attorney general shall submit to the general court and the secretary for administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim \$23,252,981

0810-0004 For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of \$50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, the provisions outlined in section 5 of chapter 258B of the General Laws \$2,188,340



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| 0810-0007 | For the overtime costs of state police officers assigned to the attorney general; provided, that costs associated with those officers shall not be funded from item 8100-0007; and provided further, that expenditures shall not be made on or after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item..... | \$463,869 |
| | General Fund | 70.00% |
| | Highway Fund | 30.00% |
| 0810-0013 | For the office of the attorney general which may expend for a false claims program an amount not to exceed \$600,000 from revenues collected from enforcement of the false claims law; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$600,000 |
| 0810-0014 | For the operation of the department of public utilities proceedings unit, pursuant to section 11E of chapter 12 of the General Laws; provided, that notwithstanding any general or special law to the contrary, the amount assessed under said section 11E of said chapter 12 of the General Laws, shall equal the amount expended from this item; and provided further, that funds shall be expended for the expenses of legal and technical personnel and associated administrative and travel expenses relative to participation in regulatory proceedings at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers | \$2,355,145 |
| 0810-0021 | For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111 | \$3,467,021 |
| 0810-0045 | For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws | \$3,133,588 |
| 0810-0201 | For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; provided further, that funds shall be expended for costs associated with health insurance rate hearings; and provided further, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount expended from this item | \$1,539,942 |
| 0810-0338 | For the investigation and prosecution of automobile insurance fraud; provided, that | |



notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item\$438,506

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws\$284,456

Victim and Witness Assistance Board.

0840-0100 For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the information required of and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 15, 2010.....\$549,090

0840-0101 For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance; provided, that the office shall submit to the house and senate committees on ways and means, not later than February 1, 2010, a report detailing the effectiveness of contracting for the program including, but not limited to, the number and type of incidents to which the advocates responded, the type of services and service referrals provided by the domestic violence advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies\$772,500

STATE ETHICS COMMISSION.

0900-0100 For the operation of the state ethics commission.....\$1,731,123

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation of the office of the inspector general\$2,330,836

0910-0210 For the office of the inspector general which may expend revenues collected up to a maximum of \$404,250 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of such programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$404,250

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

0920-0300 For the operation of the office of campaign and political finance\$1,221,696



MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

- 0940-0100 For the office of the commission, including the processing and resolution of cases pending before the commission that were filed on or before July 1, 2005; provided, that on or before November 2, 2009, the commission shall submit to the house and senate committees on ways and means a report on the total number of all currently pending cases and the total number of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 1, 2010; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means, on or before November 2, 2009, the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of cases in which there is probable cause to believe that a violation of said chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2009 and the total number of cases closed by the commission in fiscal year 2009; provided further, that funds made available in this item shall be in addition to funds available in item 0940-0101; provided further, that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the commission shall pursue the highest allowable rate of federal reimbursement.....\$1,793,587
- 0940-0101 For the Massachusetts commission against discrimination which may expend not more than \$1,930,054 from revenues from federal reimbursements received for the purposes of the United States Department of Housing and Urban Development fair housing type 1 program and the equal opportunity resolution contract program during fiscal year 2010 and federal reimbursements received for these and other programs in prior years; provided, that notwithstanding any general or special law to the contrary, the commission may also expend revenues generated through the collection of fees and costs so authorized; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$1,930,054
- 0940-0102 For the Massachusetts commission against discrimination which may expend not more than \$70,000 from revenues collected from fees charged for the training and certification of diversity trainers for the operation of the discrimination prevention certification program\$70,000

COMMISSION ON THE STATUS OF WOMEN.

- 0950-0000 For the commission on the status of women\$70,000

OFFICE OF THE STATE COMPTROLLER.

- 1000-0001 For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary



for administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, the comptroller shall deduct \$1,000 from any item of appropriation in section 2 in which a reporting requirement is stipulated within such item and which report is not filed within 10 days of the stated due date; provided further, that all amounts deducted shall be deposited into the General Fund and the comptroller shall notify the house and senate committees on ways and means of all amounts so deducted; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for such purpose; provided further, that 60 days before entering into any interdepartmental service agreement the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the proposed rate of compensation and any previous agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish such procedures, in consultation with the budget director and the affected departments, as he deems appropriate and necessary to accomplish the purpose of this item; and provided further, that the comptroller shall submit a report on such projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws\$8,056,789

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

- 1100-1100 For the office of the secretary and the administration of the fiscal affairs division; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's policies of nondiscrimination and equal opportunity; provided further, that whenever noncompliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report his resulting recommendations to the head of the relevant agency, board, department, commission or division, to the governor and to the Massachusetts Commission Against Discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this item, including supplemental and deficiency budgets, as to compliance or noncompliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on labor and workforce development on or before December 1, 2009; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements.....\$3,153,173
- 1100-1700 For the provision of information technology services within the executive office for



administration and finance.....\$31,058,555

Division of Capital Asset Management and Maintenance.

1102-3205 For the division of capital asset management and maintenance which may expend for the maintenance and operation of the Massachusetts information technology center, the state transportation building and the Springfield state office building an amount not to exceed \$16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other sources pertaining to the operations of said facilities; provided, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$16,250,000

1102-3232 For the division of capital asset management and maintenance; provided, that the division may expend not more than \$300,000 received from application fees charged in conjunction with the certification of contractors and subcontractors pursuant to section 44D of chapter 149 of the General Laws; provided further, that only expenses, including staffing, incurred to implement and operate the certification program shall be funded from this item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$300,000

Bureau of State Office Buildings.

1102-3301 For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of state office buildings; provided, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau.....\$5,716,546

1102-3302 For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings.....\$6,428,590

1102-3307 For state house accessibility coordination, including communications access to public hearings and meetings.....\$196,166

Office on Disability.

1107-2400 For the Massachusetts office on disability.....\$547,637

Disabled Persons Protection Commission.

1107-2501 For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of developmental services with uniform investigative standards; provided further, that the commission shall report to the house and senate committees on ways and means no later than the last day of each quarter on the number of claims of abuse by caretakers made by employees or contracted service employees of the departments of developmental services and mental health, and the Massachusetts rehabilitation commission; provided further, that the report shall include: (a) the number of claims found to be substantiated; (b) the number of claims found to be unsubstantiated; and



(c) the number of claims found to be falsely reported as a result of intentional and malicious action; and provided further, that the commission shall ensure that all calls received by the commission's 24-hour hotline are capable of being recorded, that all persons who call the hotline are immediately informed that all calls are routinely recorded and that each such person is provided with the opportunity to elect that the call not be recorded.....\$2,222,665

Civil Service Commission.

1108-1011 For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that said commission shall develop and implement regulations to implement said reimbursement to the General Fund; and provided further, that the civil service commission may assess a fee upon the appointing authority when inappropriate action has occurred.....\$426,014

Group Insurance Commission.

1108-5100 For the administration of the group insurance commission; provided, that the commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C and 12 of chapter 32A of the General Laws.....\$2,704,328

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2010; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts-payable period of fiscal year 2010, and any unexpended balance in this item shall revert to the General Fund on June 30, 2010; provided, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions which have federal or other funds allocated to them for this purpose for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that funds may be expended from this item for the commonwealth's share of group insurance premium and plan costs provided to employees and retirees in prior fiscal years; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of chapter 32A and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premium for state employees who retired before July 1, 1994, shall be 90 per cent and the commonwealth's share of the group insurance premium for state employees who



retired on or after July 1, 1994, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premium for active employees upon retirement shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees and their dependants shall be 70 per cent; provided further, that the commission shall notify the house and senate committees on ways and means by March 15 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; and provided further, that the group insurance commission may pay premium and plan costs for municipal employees and retirees who are enrolled in the group insurance commission's health plans pursuant to the commission's regulations \$860,000,000

- 1108-5201 For the costs incurred by the group insurance commission associated with providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the General Laws; provided, that the commission may expend revenues in an amount not to exceed \$850,000 from the revenue received from administrative fees associated with providing municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$850,000
- 1108-5350 For elderly governmental retired employee premium payments\$526,789
- 1108-5400 For the costs of the retired municipal teachers' premiums and the audit of such premiums \$77,844,056
- 1108-5500 For the costs, notwithstanding chapter 32A of the General Laws to the contrary, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of the monthly premium established by the commission for the benefits\$7,972,656

Division of Administrative Law Appeals.

- 1110-1000 For the operation of the division of administrative law appeals, established in section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the fullest extent practicable, a complete physical and technological separation from any agency, department, board, commission or program whose decisions, determinations or actions may be appealed to it; provided further, that every decision issued by a commissioner or other head of an agency, or his designee, following the issuance of a recommended decision by an administrative law judge of the division shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws; and provided further, that funds shall be expended for the processing and adjudication of all pending and newly-filed department of environmental protection appeals.....\$1,102,462

George Fingold Library.

- 1120-4005 For the administration of the library.\$516,742
- 1120-4006 For the George Fingold Library which may expend revenues collected up to a maximum of \$5,000 from the fees charged for copying services; provided, that the



library shall submit a report that details revenue collected and expenditures made to the house and senate committees on ways and means on or before January 1, 2010..... \$5,000

Department of Revenue.

- 1201-0100 For the operation of the department of revenue, including tax collection administration and audits of certain foreign corporations; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the cost of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall provide to the general court access to the municipal data bank; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning no earlier than December 1 and ending no later than November 30; and provided further, that seasonal positions funded by this account shall not be filled by an incumbent for more than 10 months within a 12-month period \$88,539,813
- 1201-0118 For the operation of the division of local services \$5,484,518
- 1201-0130 For the department of revenue which may expend for the operation of the department not more than \$17,280,000 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2006, 2007, 2008 and 2009 \$17,280,000
- 1201-0160 For the child support enforcement unit; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and those agencies may expend the funds for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of the funds; provided further, that the federal receipts associated with the child support computer network shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; and provided further, that



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| | notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for federal incentives and said network in accounts 1201-0161, 1201-0410, and 1201-0412 | \$40,530,864 |
| 1201-0164 | For the child support enforcement division; provided, that the division may expend revenues in an amount not to exceed \$6,547,280 from the federal reimbursements awarded for personnel and lower subsidiary related expenditures; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$6,547,280 |
| 1232-0100 | For the administration of the underground storage tank program and the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board under chapter 21J of the General Laws; provided that funds appropriated in this item may be used for underground storage tank remediation reimbursements under said chapter 21J; provided further, that funds may be used for grants to municipalities for the removal and replacement of underground storage tanks, under section 4 of said chapter 21J and section 37A of chapter 148 of the General Laws; provided further, that in the prioritization of claims, consideration shall be given to claimants who own not more than 2 dispensing facilities; and provided further, that the board shall submit to the house and senate committees on ways and means a report on the status of the underground storage program, including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks and the reimbursements for remediated petroleum spills; provided further, that the report shall detail how many tanks are out of compliance with said chapter 21J; and provided further, that the report shall be submitted not later than February 15, 2010 | \$17,729,011 |
| 1233-2000 | For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted pursuant to clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed \$2 per exemption granted; and provided further, that for reimbursements to cities and towns for additional exemptions from the motor vehicle excise granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws | \$25,301,475 |
| 1233-2350 | For the distribution to cities and towns of the balance of the State Lottery Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional aid to municipalities, as provided for in section 3; provided, that funds shall be provided to individual sewerage districts for the cost of chemicals at wastewater treatment facilities within the commonwealth | \$829,882,390 |
| 1233-2400 | For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws..... | \$27,270,000 |



Appellate Tax Board.

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| 1310-1000 | For the operation of the appellate tax board..... | \$1,459,270 |
| 1310-1001 | For the appellate tax board which may expend revenues up to a maximum of \$300,000 from fees collected; provided, that in order to accommodate discrepancies between the receipt of retained revenues and related expenditures, the board may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$300,000 |

Reserves.

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| 1599-0025 | For the secretary of administration and finance to provide the commonwealth's customers with the convenience of expanded access to internet payment options and to improve revenue collections and cash flow; provided, that the secretary may expend an amount not to exceed \$1,000,000 collected from payments made electronically to subsidize the costs associated with processing those payments; and provided further, that the secretary, in consultation with the comptroller, may enter into agreements with state agencies to provide for an electronic transaction fee subsidy, which shall be structured to expire after 3 years..... | \$1,000,000 |
| 1599-0050 | For Route 3 North contract assistance payments..... | \$9,625,000 |
| | Highway Fund | 100.0% |
| 1599-0093 | For contract assistance to the water pollution abatement trust for debt service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws | \$67,900,000 |
| 1599-1970 | For a reserve for the Massachusetts Turnpike Authority for costs incurred in fiscal year 2007 for the operation and maintenance of the Central Artery Ted Williams Tunnel Project pursuant to chapter 235 of the acts of 1998..... | \$25,000,000 |
| | Highway Fund | 100.0% |
| 1599-3234 | For the commonwealth's South Essex sewerage district debt service assessment..... | \$89,763 |
| 1599-3384 | For a reserve for the payment of certain court judgments, settlements and legal fees in accordance with regulations promulgated by the comptroller which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item..... | \$7,500,000 |
| 1599-3856 | For rent and associated costs at the Massachusetts information technology center in Chelsea | \$600,000 |

Division of Human Resources.

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| 1750-0100 | For the operation of the human resources division and the costs of administration, training, and customer support related to the commonwealth's human resources and compensation management system; provided, that the information technology division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided | |
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further, that the division shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities, technical assistance in selection and appointment to state and municipal appointing authorities; provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary, the secretary of administration and finance shall charge a fee of not less than \$50 to be collected from each applicant for a civil service examination; provided further, that the division shall administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; provided further, that the division shall administer the statewide classification system, including, but not limited to, maintaining a classification pay plan for civil service titles within the commonwealth in accordance with generally accepted compensation standards and reviewing appeals for reclassification; provided further, that the secretary of administration and finance shall file with the house and senate committees on ways and means the amounts of any economic benefits necessary to fund any incremental cost items contained in any collective bargaining agreements with the various classified public employees' unions; provided further, that the nature and scope of economic proposals contained in those agreements shall include all fixed percentage or dollar-based salary adjustments, non-base payments or other forms of compensation and all supplemental fringe benefits resulting in any incremental costs; and provided further, that any employee of the commonwealth who chooses to participate in a bone marrow donor program shall be granted a leave of absence with pay to undergo the medical procedure and for associated physical recovery time, but this leave shall not exceed 5 days\$3,146,717

- 1750-0102 The human resources division may expend not more than \$3,501,760 from revenues collected from fees charged to applicants for civil service and non-civil service examinations, fees charged for the implementation of the medical and physical fitness standards program established pursuant to sections 61A and 61B of chapter 31 of the General Laws and chapter 32 of the General Laws, and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions, and the general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; provided, that the personnel administrator shall charge a fee of not less than \$50 to be collected from each applicant who participates in the physical ability test; provided further, that the human resources division shall submit a semi-annual report to the house and senate committees on ways and means detailing all expenditures on the program including, but not limited to, the costs of personnel, consultants, administration of the wellness program, establishment of standards and any other related costs of the program; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$3,501,760
- 1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify the former employees pursuant to current workers' compensation procedures.....\$61,264
- 1750-0300 For the commonwealth's contributions in fiscal year 2010 to health and welfare funds



established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides \$27,700,000

Operational Services Division.

- 1775-0100 For the operation of the operational services division, including the affirmative market program; provided, that the division shall expend funds for the purpose of achieving savings pursuant to this act\$743,779
- 1775-0115 For the operational services division; provided, that the division may expend for the purpose of procuring, managing and administering statewide contracts an amount not to exceed \$900,000 from revenue collected from the statewide contract administrative fee; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel.....\$900,000
- 1775-0124 For the operational services division; provided, that the division may expend an amount not to exceed \$500,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the division's audits and reviews of providers pursuant to section 274 of chapter 110 of the acts of 1993; and provided further, that the division may only retain revenues collected in excess of \$207,350.....\$500,000
- 1775-0600 For the operational services division; provided, that the division may expend not more than \$805,000 in revenues from the sale of state and federal surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; provided further, that the division shall evaluate the use of technology, the internet, and online auctions to enhance the sales of surplus vehicles and submit a report of its findings to the house and senate committees on ways and means, and the house and senate committees on post audit and oversight on or before October 1, 2009; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel.....\$805,000
- 1775-0700 For the operational services division; provided, that the division may expend not more than \$53,000 in revenues collected in addition to the amount authorized in item 1775-1000 of section 2B for printing, photocopying, related graphic art or design work and other reprographic goods and services provided to the general public, including all necessary incidental expenses\$53,000

Information Technology Division.

- 1790-0100 For the operation of the information technology division; provided, that the division shall continue a chargeback system for its bureau of computer services including



the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program to develop a statewide grant information page on the commonwealth's official world wide web site, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that the commissioner shall file an annual status report with the house and senate committees on ways and means by May 31, 2010, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2010; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds \$200,000, including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before such agency may obligate funds for the project or purchase; provided further, that the chief information officer may establish rules and procedures necessary to implement this item; and provided further, that the division shall file a report with the house and senate committees on ways and means not later than December 15, 2009 that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (b) the number of personnel assigned to the information technology services within each executive office; and (c) efficiencies that have been achieved from the sharing of resources\$4,690,244

1790-0300 For the information technology division which may expend not more than \$595,695 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment\$595,695

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

2000-0100 For the operation of the office of the secretary of energy and environmental affairs, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector control chapter program\$6,382,555

2000-1700 For the operation of information technology services within the executive office of energy and environmental affairs, including the office of geographic and environmental information established in section 4B of chapter 21A of the General Laws\$9,246,775

2001-1001 For the secretary of energy and environmental affairs who may expend not more than \$55,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data for the review of environmental notification forms pursuant to sections 61 to 62H, inclusive, of chapter 30 of the General Laws.....\$55,000



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| 2010-0100 | For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials recycling facility; provided, that funds may be expended for a recycling industry reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997 | \$514,001 |
| 2010-0200 | For redemption centers; provided, that the department of environmental protection shall expend the funds appropriated in this item for a program to preserve the continuing ability of redemption centers to maintain operations in pursuit of the commonwealth's recycling goals consistent with section 323 of chapter 94 of the General Laws; provided further, that for the purposes of this item and said chapter 94, a redemption center shall be any business registered with the commonwealth whose primary purpose is the redemption of reusable beverage containers; provided further, that the program shall take into consideration the volume of redeemables per redemption center, the length of time the center has been in operation, the number of returnables redeemed quarterly by the centers, the submission by the centers of documentation of their redeemed returnables to the department and the costs of transportation, packing, storage and labor; and provided further, that a redemption center shall be eligible for the funds if registered with the commonwealth as of April 1, 2003 | \$275,000 |
| 2020-0100 | For toxics use reduction technical assistance and technology in accordance with chapter 21I of the General Laws | \$688,204 |
| 2030-1000 | For the operation of the office of environmental law enforcement; provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; provided further, that the department shall maintain and operate the boat registration and titling offices in Hyannis and Fall River; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004 | \$9,677,607 |
| 2030-1004 | For environmental police private details; provided, that the office may expend revenues of up to \$220,000 collected from the fees charged for private details; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$220,000 |

Department of Public Utilities.

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| 2100-0012 | For the operation of the department of public utilities; provided, that notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws, the assessments levied for fiscal year 2010 under said first paragraph shall be made at a rate sufficient to produce \$7,346,593 | \$7,346,593 |
| 2100-0013 | For the operation of the transportation division | \$461,489 |
| 2100-0014 | For the department of public utilities which may expend for the operation of the energy facilities sitting board an amount not to exceed \$75,000 from application | |



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| | fees collected in fiscal year 2010 and prior fiscal years from utility companies | \$75,000 |
| 2100-0015 | For the department of public utilities which may expend for the operation of the transportation division an amount not to exceed \$2,300,000 from unified carrier registration fees collected in fiscal year 2010 and prior fiscal years from motor carrier companies | \$2,300,000 |

Department of Environmental Protection.

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| 2200-0100 | For the operation of the department of environmental protection, including the environmental strike force, the office of environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws | \$29,754,601 |
| 2200-0102 | For the department of environmental protection which may expend an amount not to exceed \$903,817 from revenues collected from fees collected from wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that the department shall submit a report by January 12, 2010, on implementation of the wetlands fee, the amount of the fee increase and the revenue that has been collected; and provided further, that the wetlands fees that shall be deposited into the General Fund shall not be lower than the amount deposited at the end of fiscal year 2004 | \$903,817 |
| 2210-0100 | For the implementation and administration of chapter 21I of the General Laws; provided, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2010 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of said chapter 21I..... | \$831,182 |
| 2220-2220 | For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program, and the commonwealth's commitments under the New England Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and mercury emissions..... | \$983,303 |
| 2220-2221 | For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act..... | \$1,957,473 |
| 2250-2000 | For the purpose of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws..... | \$1,585,845 |
| 2260-8870 | For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 4 of chapter 21J of the General Laws..... | \$14,419,520 |
| 2260-8872 | For the brownfields site audit program | \$1,456,260 |
| 2260-8881 | For the operation of the board of registration of hazardous waste site cleanup | |



professionals, notwithstanding section 19A of chapter 21A of the General Laws\$342,117

Department of Fish and Game.

2300-0100 For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the riverways program, and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department including, but not limited to, payroll, personnel, legal and budgetary costs; provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than October 1, 2009 that details the level of assessments to each department under the control of the office of the commissioner in fiscal years 2008 and 2009\$678,762

2300-0101 For a program of riverways protection, restoration and promotion of public access to rivers, including grants to public and nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter 31 of the General Laws\$433,179

2310-0200 For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fisheries and wildlife programs, and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2009 for such research; provided further, that the department may expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended; and provided further, that funds shall be expended for the natural heritage and endangered species program\$9,206,561

Inland Fisheries and Game Fund 100.0%

2310-0306 For the hunter safety training program\$401,130

Inland Fisheries and Game Fund 100.0%

2310-0316 For the purpose of land containing wildlife habitat and for the costs of the division of fisheries and wildlife directly related to the administration of the wildlands stamp program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that funds shall not be expended from this item in the AA object class for the compensation of state employees assigned to any item\$1,000,000

Inland Fisheries and Game Fund 100.0%

2310-0317 For the waterfowl management program pursuant to section 11 of chapter 131 of the General Laws\$45,000

Inland Fisheries and Game Fund 100.0%



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| 2320-0100 | For the administration of the public access board, including the maintenance, operation, and improvement of public access land and water areas; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws | \$513,182 |
| 2330-0100 | For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; and provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry so as to promote sustainable fisheries | \$4,720,397 |
| 2330-0120 | For the division of marine fisheries for a program of enhancement and development of marine recreational fishing and related programs and activities, including the cost of equipment maintenance, staff and the maintenance and updating of data | \$567,563 |
| 2330-0121 | For the division of marine fisheries to utilize reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs, and otherwise provide for the development of marine recreational fishing; provided, that the division of marine fisheries may expend revenues up to \$217,989 collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing | \$217,989 |

Department of Agricultural Resources.

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| 2511-0100 | For the operation of the department of agricultural resources, including the division of administration, the expenses of the board of agriculture, the division of dairy services, division of regulatory services, the division of animal health, the division of agricultural technical assistance, the division of crop management and inspectional services, including a program of laboratory services at the University of Massachusetts Amherst, the pesticides board, and the division of agricultural development and fairs | \$4,683,708 |
| 2511-0105 | For the purchase of supplemental foods for the emergency food assistance program within the feeding America nationally-certified food bank system of Massachusetts; provided, that the funds appropriated herein shall reflect the feeding America allocation formula, to benefit the 4 regional food banks in the commonwealth; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation herein | \$8,445,000 |
| 2511-3002 | For the integrated pest management program | \$287,945 |

Department of Conservation and Recreation.

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| 2800-0100 | For the operation of the department of conservation and recreation; provided, that said department shall enter into an interagency service agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse said department of conservation and recreation for costs incurred by said department including, but not limited to, vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; | |
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| | provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and to adjust or develop other revenue sources to fund the maintenance, operation, and administration of the department; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 15, 2010; provided further, that no funds shall be expended from this item for personnel overtime costs; provided further, that the department of conservation and recreation shall provide the house and senate committees on ways and means with a 30-day notice before any intersubsidiary transfers or interagency service agreements and the reason for said transfer; provided further, that the amount transferred pursuant to interagency service agreements shall not increase from fiscal year 2009; and provided further, that any employee paid from this item as of August 1, 2004, that was included in the report required from said item in chapter 149 of the acts of 2004, and any employees assigned to that item after August 1, 2004, shall not be paid from any other item of appropriation..... | \$4,740,855 |
| 2800-0101 | For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that funds shall be paid to the town of Clinton under section 8 of chapter 307 of the acts of 1987 as compensation for the use of certain land; provided further, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; and provided further, that funds shall be expended for the flood control activities undertaken by the Thames river valley communities of Massachusetts in conjunction with the state of Connecticut..... | \$1,323,586 |
| 2800-0401 | For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall develop and implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all existing stormwater infrastructure, assess its current stormwater practices, analyze long term capital and operational needs, and develop a stormwater management plan to comply with federal and state regulatory requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins, and emergency repairs to roadway drainage..... | \$731,258 |
| 2800-0501 | For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department of conservation and recreation's parks, beaches, pools and spray pools be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that the department shall file quarterly reports with the house and senate committee on ways and means relative to the seasonal staffing levels at all of the department's facilities, which shall include, but not be limited to, the following: (a) | |



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| | the number of seasonal employees assigned to each facility; (b) the total amount of funding spent on seasonal employees at each facility; (c) the total amount of funding spent on each facility; and (d) the services and materials provided to each facility; provided further, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired before the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2009 shall continue to receive such benefits in fiscal year 2010 during the period of their seasonal employment; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period | \$13,135,383 |
| 2800-0700 | For the office of dam safety; provided, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams, and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 14, 2009, that shall include, but not be limited to, the following: (a) the number of staff that are assigned from this item and their job title; (b) the number of dam inspections that are scheduled for fiscal year 2010; and (c) the number of dams that are in need of repair or replacement..... | \$427,428 |
| 2810-0100 | For the operation of the department's state and urban parks; provided, that funds appropriated in this item shall be used to operate all of the division's parks, parkways, boulevards, roadways, bridges, and related appurtenances under the care, custody, and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools and for the oversight of rinks, to protect and manage the division's lands and natural resources, including the forest and parks conservation services and the bureau of forestry development; provided further, that the crossing guards located at department of conservation and recreation intersections shall continue to perform the duties where state police previously performed such duties; provided further, that the parkways, boulevards, roadways, bridges and related appurtenances under the care and custody of the metropolitan district commission in fiscal year 2003 shall remain solely under the jurisdiction, custody and care of the department of conservation and recreation; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that the department may issue grants to public and nonpublic entities from this item; and provided further, that the department shall file quarterly reports with the house and senate committees on ways and means relative to the staffing levels at all state and urban parks, which shall include, but not be limited to, the following: (a) the number of staff assigned to each park; (b) the total number of visitors to each park; (c) the total acreage of each park; and (d) the amount of funding spent on each park.... | \$46,558,361 |
| 2810-2041 | For the division of state parks and recreation which may expend not more than \$5,682,326 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated | |



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| | campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may issue grants to public and nonpublic entities from this item..... | \$5,682,326 |
| 2820-0101 | For the costs associated with the department's park rangers specific to the security of the state house; provided, that funds appropriated in this item shall only be expended for the costs of security and park rangers at the state house | \$1,291,621 |
| 2820-1000 | For the division of urban parks and recreation which may expend not more than \$200,000 from revenue collected pursuant to section 34B of chapter 92 of the General Laws | \$200,000 |
| 2820-1001 | For the division of urban parks and recreation which may expend not more than \$50,000 from revenue collected for the operation and maintenance of the division's telecommunications system from revenues received from the Massachusetts Water Resources Authority, the Massachusetts Convention Center Authority, the department of highways, the Central Artery/Ted Williams Tunnel Project, the department of state police and quasi-public and private entities through a system of user fees and other charges established by the commissioner of conservation and recreation; provided, that nothing in this item shall impair or diminish the rights of access and utilization of all current users of the system under agreements previously entered into; and provided further, that this item may be reimbursed by political subdivisions of the commonwealth and private entities for direct and indirect costs expended by the division to maintain the telecommunications system..... | \$50,000 |
| 2820-2000 | For the expenses of maintaining the parkways within the division of urban parks and recreation, including the costs of personnel and snow and ice removal expenses; provided, that the department of conservation and recreation shall take all measures to ensure that the department's snow and ice control efforts are efficient and cost effective; provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report detailing a snow emergency plan for roads, bridges and sidewalks under the care of the department of conservation and recreation by January 15, 2010; and provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report not later than September 1, 2009, which shall include, but not be limited to, the following: (a) a list of amounts paid from state appropriations for snow and ice control efforts for fiscal years 2008 and 2009; and (b) any other information that said secretary determines is necessary to account for and explain the extraordinary expenditure of state appropriations for the control and removal of snow and ice | \$2,444,988 |



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| 2820-3001 | For the division of urban parks and recreation which may expend not more than \$1,000,000 from revenue collected from skating rink fees and rentals for the operation and maintenance, including personnel costs, of 4 rinks between September 1, 2009, and April 30, 2010, for an expanded and extended rink season; provided, that when assigning time for the use of its rinks, the division shall give priority to those which qualify under applicable state and federal law as nonprofit organizations or as a public school..... | \$1,000,000 |
| 2820-4420 | For the operation and maintenance of the Ponkapoag golf course; provided, that the division of urban parks and recreation may expend not more than \$1,100,000 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30 | \$1,100,000 |
| 2820-4421 | For the operation and maintenance of the Leo J. Martin golf course; provided, that the division of urban parks and recreation may expend not more than \$824,790 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30 | \$824,790 |
| 2820-9005 | For the operation of street lighting on the division of urban parks and recreation parkways; provided, that no expenditure shall be made other than in the GG object class; provided further, that the department of conservation and recreation shall take all measures to further ensure that said department's street lighting efforts are efficient and cost effective; and provided further, that said department shall implement a plan to achieve efficiencies and reduce lighting costs | \$3,315,033 |

Department of Energy Resources.

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| 7006-1001 | For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws..... | \$199,326 |
| 7006-1003 | For the operation of the department of energy resources; provided, that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item | \$2,946,122 |

Department of Early Education and Care.

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| 3000-1000 | For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with | |
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| | disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that funds from this item shall be expended to implement a plan for a workforce development system in collaboration with the board and commissioner of higher education, pursuant to section 5 of chapter 15D of the General Laws; and provided further, that as part of the implementation of said workforce development plan, the department shall expend funds for the development of core competencies for those working with children in early education programs | \$11,944,704 |
| 3000-2000 | For regional administration and coordination of services provided by child care resource and referral agencies; provided, that funding for activities shall include, but not be limited to, administrative costs of these agencies, program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs, maintenance of the department's centralized waiting list for state-subsidized early education and care, and walk-in services for homeless families | \$9,782,724 |
| 3000-2050 | For the administration of the Children's Trust Fund; provided, that the department shall not exercise any supervision or control with respect to the board | \$1,154,572 |
| 3000-3050 | For supportive early education and care associated with the family stabilization program; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled, and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under this item shall receive those services; provided further, that if the department determines that available appropriations for this program will be insufficient to meet projected expenses, the commissioner shall file with the house and senate committees on ways and means and the secretary of administration and finance, a report detailing the amount of appropriation needed to address such deficiency; and provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before the transfer | \$77,836,888 |
| 3000-4050 | For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children to enroll in an early education and care program; provided, that early education and care shall be available to | |



former participants who are working for up to 1 year after termination of their temporary assistance benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that all early education and care providers that are part of a public school system shall accept vouchers funded through this item; provided further, that the department may provide early education and care benefits to parents who are under 18 years of age, who are currently enrolled in a job training program, and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income; provided further, that all teens eligible for year-round, full-time early education and care services shall be participating in school, education, work and training-related activities or a combination thereof for at least the minimum number of hours required by regulations; provided further, that recipients of temporary assistance shall not be charged fees for care provided under this item; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that informal early education and care benefits may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010 \$116,232,279

3000-4060 For income-eligible early education and care programs; provided, that \$10,419,089, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall fund child care benefits for working families; provided further, that the department shall inform said families that benefits may expire on June 30, 2011; provided further, that teen parents at risk of becoming eligible for transitional aid to families with dependent children may be paid from this item; provided further, that informal early education and care benefits for families meeting income-eligibility criteria may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that all early education and care providers that are part of a public school system shall accept early education and care vouchers from recipients funded through this appropriation; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4050, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010; provided further, that said plan shall be forwarded to the house and senate chairs of the joint committee on education, the chairs of the house and senate ways and means committees, and the secretary of administration and finance; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary \$283,991,567

3000-5000 For grants to head start programs; provided, that funds from this item may be



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| | expended on early head start programs..... | \$6,500,000 |
| 3000-5075 | <p>For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible, through a mixed system of service delivery, including public, private, non-profit and for-profit preschools, child care centers, nursery schools, preschools operating within public and private schools and school districts, head start programs, independent and system-affiliated family child care homes; provided further, that funds shall be awarded directly to programs; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams, or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to leverage and enhance community-wide capacity building efforts within statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate (CDA) credential or higher; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practice, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working families, or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary.....</p> | \$4,000,000 |
| 3000-6000 | <p>For the establishment of a statewide network of supports for early education and care programs to advance the quality of their services to children; provided, that supports funded through this item shall include, but not be limited to, curriculum development, child assessment systems, activities that encourage providers to obtain associate and bachelor degrees, payment of fees and direct assistance to programs seeking accreditation by agencies approved by the board, and professional development courses; provided further, that eligible recipients for such grants shall include, but not be limited to, community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating and improvement</p> | |



system; provided further, that the department shall encourage and support early childhood education and care providers to obtain associate and bachelor degrees through professional development programs; provided further, that \$990,661, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall be expended for quality expansion; and provided further, that \$573,722, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall be expended for activities that improve the quality of infant and toddler care.....\$15,645,251

3000-7000 For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that services shall be made available statewide to parents under the age of 21 years; and provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents.....\$9,188,407

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0050 For the operation of the personal care attendant quality workforce council established under section 29 of chapter 118G of the General Laws.....\$187,751

4000-0300 For the operation of the executive office, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that notwithstanding any general or special law the contrary, the executive office shall not include non-emergency dental services for adults or adult day habilitation services within MassHealth covered services for fiscal year 2010; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of said Social Security Act or



the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that not later than September 1, 2009, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing planned fiscal year 2010 expenditures by the executive office as funded by chargebacks to the 17 executive office cluster agencies; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0891, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2010.....\$96,806,480

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| 4000-0301 | For the costs of MassHealth provider and member audit and utilization review activities including, but not limited to, eligibility verification, disability evaluations, provider financial and clinical audits and other initiatives intended to enhance program integrity..... | \$1,747,904 |
| 4000-0320 | The executive office of health and human services may expend for medical care and assistance rendered in the current year an amount not to exceed \$225,000,000 from the monies received from recoveries and collections of any current or prior year expenditures; provided, that notwithstanding any general or special law to the contrary, the balance of any personal needs accounts collected from nursing and other medical institutions upon a medical assistance member's death and held by the executive office for more than 3 years may be credited to this item | \$225,000,000 |
| 4000-0355 | For the operation of a health care quality and cost council established in section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; provided, that the council shall file quarterly reports with the house and senate committees on ways and means delineating the progress made pursuant to the goals stated in said section 16K of said chapter 6A..... | \$946,256 |
| 4000-0360 | For the health care quality and cost council established pursuant to section 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to exceed \$100,000 from the monies received from the sale of data reports..... | \$100,000 |



4000-0430 For the CommonHealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which standards shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process CommonHealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required \$103,393,987

4000-0500 For health care services provided to medical assistance recipients under the executive office's primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the executive office and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that expenditures from this item shall be made only for the purposes expressly stated herein; provided further, that in conjunction with the new Medicaid management information system, said executive office shall continue to study the feasibility of modifying its claim payment system, in collaboration with the MassHealth behavioral health contractor, to routinely process for payment valid claims for medically-necessary covered medical services to eligible recipients with psychiatric and substance abuse diagnoses on a timely basis in an effort to avoid delay and expenses incurred by lengthy appeals processes; and provided further, that notwithstanding any general or special law to the contrary, the secretary of health and human services shall not, without prior written or verbal consent, reassign the behavioral health benefit of any eligible person to a managed care plan under contract with the office of MassHealth if the benefit is already managed by MassHealth's specialty behavioral health managed care contractor..... \$3,387,802,427

Executive Office of Elder Affairs.

4000-0600 For health care services provided to MassHealth members who are seniors, and for the operation of the senior care options program under section 9D of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that funds shall be expended for the 'community choices' initiative; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that benefits for this demonstration project shall not be reduced below the services provided in fiscal year 2009; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2009; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of \$72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly Disabled and Children program or Supplemental Security Income; provided further, care management under section 3



of chapter 211 of the acts of 2006 shall be implemented through Aging & Disability Resource Consortiums, which shall include a combination of 1 or more Aging Services Access Points and Independent Living Centers, the pre-admission counseling and assessment program as required by the third paragraph of section 9 of chapter 118E of the General Laws, shall be implemented through the development of said aging and disability resource consortiums; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the department, in consultation with the division, in recognition of the unique special innovative program status granted by the executive office, shall continue to make the standard payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that funds shall be expended for the purpose of a housing with services demonstration project known as the 'Caring Homes' initiative designed to delay or prevent nursing home placement by providing care-giving services to an elder; provided further, that under said demonstration project, eligible MassHealth enrollees shall be able to live in the home of an individual or relative, with the exception of spouses and dependent children, to provide for their long-term support, pursuant to regulations promulgated by said executive office; and provided further, that the secretary of elder affairs and the director of the office of Medicaid shall provide a monthly report to the secretary of administration and finance and to the house and senate committees on ways and means showing Medicaid nursing facility utilization in the current fiscal year compared to Medicaid nursing facility utilization in the same period for the prior fiscal year \$2,092,930,703

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002..... \$288,500,000

Executive Office of Health and Human Services.

4000-0700 For health care services provided to medical assistance recipients under the executive office's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans, and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive and clause (h) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for Early Intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; provided further, that the executive office shall not, in fiscal year 2010, fund programs relating to case management with the intention of reducing length of stay for



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| | neonatal intensive care unit cases; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider | \$1,555,687,856 |
| 4000-0870 | For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years | \$155,139,729 |
| 4000-0875 | For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with section 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide those benefits to women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for the benefits shall be extended solely for the duration of the cancerous condition; provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer at the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years | \$4,189,558 |
| 4000-0880 | For MassHealth benefits under clause (c) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to the children and adolescents in prior fiscal years | \$205,717,702 |
| 4000-0890 | For the cost of health insurance premium subsidies paid to employees of small businesses participating in the insurance reimbursement program under section 9C of chapter 118E of the General Laws | \$47,608,920 |
| 4000-0891 | For the cost of health insurance subsidies paid to employers participating in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that the executive office shall directly market the program to private human service providers that deliver human and social services under contract with departments within the executive office and the executive office of elder affairs for the purpose of mitigating health insurance costs to the employers and their employees; provided further, that the executive office of health and human services shall report quarterly to the house and senate committees on ways and means and the executive office of administration and finance monthly expenditure data for the program, including the total number of employers participating in the program, the percentage of the employers who purchased health insurance for employees prior to participating in the program and total monthly expenditures delineated by payments to small employers and self-employed persons for individual, 2-person family and family subsidies; and provided further, that the executive office of health and human services shall seek federal reimbursement for the payments to employers | \$4,531,091 |
| 4000-0895 | For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 10E of | |



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| | chapter 118E of the General Laws; provided, that the executive office shall, not later than February 16, 2010, report to the house and senate committees on ways and means on the population served by the program delineated by the federal poverty level; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years..... | \$17,200,673 |
| 4000-0950 | For the purposes of administrative and program expenses associated with the children's behavioral health initiative, in accordance with the settlement agreement in the case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health services to children suffering from severe emotional disturbances; provided, that the secretary of health and human services shall report quarterly to the house and senate committees on ways and means relative to implementation of the initiative; and provided further, that such quarterly reports shall include, but not be limited to, details of the implementation plan, results of the scheduled plan to date, including a schedule detailing commencement of services and associated costs by service type, and an analysis of compliance with the terms of the settlement agreement to date | \$43,495,650 |
| 4000-0990 | For the children's medical security plan to provide primary and preventive health services for uninsured children from birth through age 18; provided, that the executive office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no applicant shall be enrolled in the program until the applicant has been denied eligibility for the MassHealth program; provided further, that the MassHealth benefit request shall be used as a joint application to determine the eligibility for both MassHealth and the children's medical security plan; provided further, that the executive office shall maximize federal reimbursements for state expenditures made on behalf of the children; provided further, that the executive office shall expend all necessary funds from this item to ensure the provision of the maximum benefit levels for this program, as authorized by section 10F of chapter 118E of the General Laws; provided further, that the maximum benefit levels for this program shall be made available only to those children who have been determined by the executive office to be ineligible for MassHealth benefits; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years..... | \$14,186,651 |
| 4000-1400 | For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years | \$18,078,571 |
| 4000-1405 | For the operation of a program of preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed; provided, that such persons shall meet the eligibility requirements of the MassHealth program established in section 9A of chapter 118E of the General Laws; provided further, that persons eligible under subsection (7) of section 16D of said chapter 118E shall also be eligible to receive benefits under this item; provided further, that the income of such persons shall not exceed 100 per cent of the federal poverty level; provided further, that said eligibility requirements shall not exclude from eligibility persons who are employed intermittently or on a non-regular basis; provided further, that the provision of care to such persons under this program may, taking into account capacity, continuity of care, and geographic considerations, be restricted to certain providers; provided further, that the secretary may limit or close enrollment if necessary in order to ensure that expenditures from this item do not exceed the | |



amount appropriated herein; provided further, however, that no such limitation shall be implemented unless the secretary has given 90 days notice to the house and senate committees on ways and means and the joint committee on health care financing; and provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years\$324,450,151

- 4000-1420 For the purposes of making payment to the federal Centers for Medicare and Medicaid Services in compliance with Title XIX of the Social Security Act\$268,630,683
- 4000-1700 For the provision of information technology services within the executive office of health and human services\$89,620,931

Office for Refugees and Immigrants.

- 4003-0122 For a Citizenship for New Americans Program to assist legal permanent residents in the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal non-citizens shall be given highest priority for services; and provided further, that persons who currently receive state-funded benefits which could be replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall be given priority for services\$250,000

Division of Health Care Finance and Policy.

- 4100-0060 For the operation of the division and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2010 the estimated expenses, including indirect costs, of the division, and shall be equal to the amount appropriated in this item less amounts projected to be collected in fiscal year 2010 from: (a) filing fees; (b) fees and charges generated by the division's publication or dissemination of reports and information; and (c) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 65 per cent of the total expenses appropriated for the division and the health safety net office; provided further, that the division shall promulgate regulations requiring all hospitals receiving payments from the Health Safety Net Trust Fund to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly reports to the house and senate committees on ways and means compiling said data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for



the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that said study shall examine the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured, and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general, and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means and the joint committee on health care financing not later than December 8, 2009 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (a) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2009; (b) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2009; (c) the demographics of the population using the Health Safety Net Trust Fund; and (d) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2009; provided further, that the division shall include in the report an analysis on hospitals' responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that notwithstanding any general or special law or rule or regulation to the contrary, the division shall not allow any exceptions to the usual and customary charge defining rule as defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy providers for publicly-aided and industrial accident patients; provided further, that the division is hereby authorized to change the pricing standard used by said division when determining the rate of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident patients if such a change would financially benefit the commonwealth; provided further, that within 6 months of the publication date of the federal upper limits for multiple source drugs by the federal Centers for Medicare and Medicaid Services, the division shall submit a report to the secretary of administration and finance and the house and senate committees on ways and means on the savings realized by the MassHealth Pharmacy Program for the first 3 months that the federal upper limits for multiple source drugs are in place; provided further, that using said data, the division shall also estimate the program savings for the remainder of fiscal year 2010; provided further, that the division, after consultation with the secretary and the chairs of the senate and house committees on ways and means, may adjust pharmacy dispensing fees for multiple source prescription drugs to compensate for any reduction as a result of the upper limits implemented under the Deficit Reduction Act of 2005; provided further, that the division shall examine the factors that contribute to the cost increases of the health care delivery system and strategies employed by the provider community to reduce cost growth; provided further, that in preparing its report, the division shall conduct a public hearing on the matter; and provided further, that the division shall submit its findings to the joint committees on health care financing and the house and senate committees on ways and means not later than February 16, 2010.....\$17,449,078

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner; provided, that amounts appropriated to the



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| | commission in fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011 | \$994,233 |
| 4110-1000 | For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network | \$3,834,864 |
| 4110-1010 | For aid to the adult blind; provided, that funds may be expended from this item for burial expenses incurred in the prior fiscal year and for sheltered workforce employee retirement benefits | \$8,351,643 |
| 4110-2000 | For the turning 22 program of the commission; provided, that the commission shall work in conjunction with the department of developmental services to secure the maximum amount of federal reimbursements available for the care of turning 22 clients | \$10,663,291 |
| 4110-3010 | For a program of vocational rehabilitation for the blind in cooperation with the federal government; provided, that no funds from federal vocational rehabilitation grants or state appropriation shall be deducted for pensions, group health and life insurance, or any other such indirect costs of federally reimbursed state employees | \$2,061,837 |

Massachusetts Rehabilitation Commission.

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| 4120-1000 | For the operation of the commission; provided, that amounts appropriated to the commission in fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011; provided further, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom, or on behalf of whom, payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided further, that the lists shall include client names and social security numbers and payee names and other identification, if different from a client's | \$472,928 |
| 4120-2000 | For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence | \$8,300,864 |
| 4120-3000 | For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided | \$3,170,817 |
| 4120-4000 | For independent living assistance services | \$11,946,137 |
| 4120-4001 | For the housing registry for the disabled | \$80,000 |
| 4120-4010 | For the turning 22 program of the commission | \$262,679 |



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| 4120-5000 | For homemaking services | \$5,508,257 |
| 4120-6000 | For head injured services; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving head injured services | \$11,209,371 |

Massachusetts Commission for the Deaf and Hard of Hearing.

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| 4125-0100 | For the operation of and services provided by the Massachusetts commission for the deaf and hard of hearing | \$5,169,020 |
| 4125-0105 | The commission may expend for the purpose of after-hours emergency interpreter referral services an amount not to exceed \$165,000 from revenues collected from users of the department's emergency interpreter referral hotline | \$165,000 |

Department of Veterans' Services.

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| 1410-0010 | For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that the secretary of veterans' affairs shall submit a report to the joint committee on veterans' and federal affairs and the house and senate committees on ways and means not later than December 31, 2009, on the secretariat's implementation of and the outreach efforts of the "welcome home bill"; and provided further, that the report shall include the participation rates for service, hindrances to enrollment for the program, and recommendations, including any necessary statutory or other changes to increase the number of service men and women who apply for such service | \$2,159,172 |
| 1410-0012 | For services to veterans, including the maintenance and operation of outreach centers; provided, that any program that received funds from this item in chapter 182 of the acts of 2008 shall receive funds in fiscal year 2010; provided further, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; and provided further, that these centers shall also provide services to veterans who were discharged after September 11, 2001, and their families | \$1,481,985 |
| 1410-0015 | For the women veterans' outreach program..... | \$50,000 |
| 1410-0018 | The department may expend not more than \$300,000 for the maintenance and operation of Agawam and Winchendon veterans' cemeteries from revenue collected from fees, grants, gifts or other contributions to the cemeteries..... | \$300,000 |
| 1410-0100 | For the revenue maximization project of the executive office of elder affairs to identify individuals eligible for veterans' pensions who are currently receiving home health care services | \$98,000 |
| 1410-0250 | For homelessness services for veterans; provided, that any program that received funds from this item in chapter 182 of the acts of 2008 shall receive funds in fiscal year 2010 | \$2,000,000 |
| 1410-0251 | For the maintenance and operation of homeless shelters and transitional housing for veterans at the New England Center for Homeless Veterans located in the city of Boston | \$2,164,543 |
| 1410-0400 | For the payment of annuities to certain disabled veterans and the parents and un- | |



remarried spouses of certain deceased veterans made pursuant to section 6B of chapter 115 of the General and for reimbursing cities and towns for money paid for veterans' benefits and for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments in fiscal year 2010 shall not exceed the amount appropriated herein; provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of veterans' benefits paid by cities and towns to residents of a soldiers' home shall be paid by the commonwealth to the several cities and towns; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans' services shall continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the department of veterans' services shall provide such training in several locations across the commonwealth; provided further, that training will be provided annually and on an as needed basis to veterans services organizations to make them aware of the provision of said chapter 115 and all other benefits to which a veteran or the veteran's dependents may be entitled; provided further, that any person applying for veterans' benefits to pay for services available under chapter 118E of the General Laws, shall also apply for medical assistance under said chapter 118E to minimize cost of the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the executive office under said chapter 118E for any veteran, widow and dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran or dependent for assistance under said chapter 118E; provided further, that the executive office shall act on all said chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E health care; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement health care pursuant to said chapter 118E with health care coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income.....\$46,808,760

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon.....\$864,237

Soldiers' Home in Massachusetts.

4180-0100 For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any



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| | alternate vendor to provide pharmacy services other than the state office of pharmacy services | \$25,963,213 |
| 4180-1100 | The Soldiers' Home in Massachusetts may expend not more than \$330,661 in revenues for facility maintenance and patient care, including personnel costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$330,661 |
| | <i>Soldiers' Home in Holyoke.</i> | |
| 4190-0100 | For the maintenance and operation of the Soldiers' Home in Holyoke, including the adult day care program, the Maguder House and the Chapin Mansion; provided, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any alternate vendor to provide pharmacy services other than the state office of pharmacy services | \$19,438,450 |
| 4190-0102 | The Soldiers' Home in Holyoke may expend for the outpatient pharmacy program an amount not to exceed \$110,000 from co-payments which it may charge to users of the program; provided, that no co-payments shall be imposed or required of any person which exceed the level of co-payments charged in fiscal year 2009 | \$110,000 |
| 4190-0200 | The Soldiers' Home in Holyoke may expend not more than \$25,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents and an amount not to exceed \$5,000 from revenues received from the licensing of the property for placement of aerial antennas; provided, that fees from the use of telephones and televisions shall only be expended for payments to vendors for said services | \$30,000 |
| 4190-1100 | For the Soldiers' Home in Holyoke which may expend not more than \$225,000 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations, and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$225,000 |



Department of Youth Services.

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| 4200-0010 | For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department shall continue to execute its education funding initiative | \$4,628,100 |
| 4200-0100 | For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0200 and 4200-0300; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and to the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... | \$21,816,501 |
| 4200-0200 | For pretrial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated herein to items 4200-0100 and 4200-0300; and provided further, that 30 days before any transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... | \$24,710,796 |
| 4200-0300 | For secure facilities, including purchase-of-service and state-operated programs incidental to the operations of the facilities; provided, that funds shall be expended to address the needs of the female population; provided further, that funds shall be expended to address suicide prevention; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; provided further, that no charge or contract shall be made with alternate vendors to provide pharmacy services other than the state office of pharmacy services; provided further, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... | \$99,826,675 |
| 4200-0500 | For the department of youth services' education system; provided, that funds shall be expended for the enhancement of salaries for teachers..... | \$2,500,000 |

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Transitional Assistance.

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| 4400-1000 | For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, and public assistance caseloads and | |
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benefits; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that an application for assistance under chapter 118 of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; and provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating supplemental nutrition assistance program applications and redeterminations..... \$52,727,596

- 4400-1001 For programs to increase the commonwealth's participation rate in the supplemental nutrition assistance program and other federal nutrition programs; provided, that the work of department employees paid for from this item shall be restricted to processing supplemental assistance nutrition program applications; provided further, that the department shall not require supplemental assistance nutrition program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental assistance nutrition program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental assistance nutrition program inquiries, and arrange for and conduct telephone interviews for initial supplemental assistance nutrition program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; and provided further, that funds shall be expended for supplemental assistance nutrition program outreach \$1,708,431
- 4400-1025 For domestic violence specialists at local area offices \$740,979
- 4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit eight shall be paid from this item \$53,607,404
- 4401-1000 For employment and training services, including support services, for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that funds shall be expended for the Young Parents Program; and provided further, that certain parents who have not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services \$23,042,578
- 4401-1101 For the department of transitional assistance which may expend not more than \$2,450,000 from federal bonuses and from reimbursements received from the



United States Department of Agriculture for supplemental nutrition assistance program outreach and employment and training programs and any enhanced funding or bonuses; provided, that the department may expend such revenue for employment and training services provided to recipients of transitional aid to families with dependent children\$2,450,000

4403-2000 For a program of transitional aid to families with dependent children; provided, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or any provisions of this act to the contrary, no benefits under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2009 unless the department determines that a reduction in the monthly payment standard should be implemented before the end of the fiscal year to keep program expenditures within the amounts appropriated in this item; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment standard, in fiscal year 2010, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any successor statute; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of \$150 shall be provided to each child eligible under this program in September 2009; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2009; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household pursuant to a court order after a care and protection hearing under chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month the payments are to be made or within the 3 month period after the month of payment, and who, if the child had been born and was living with her in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall review its disability standards to determine the extent to which they reflect current medical and vocational criteria and shall revise the standards as necessary to align with those criteria by January 1, 2010; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care



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| | benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care, and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for, or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families..... | \$308,076,608 |
| 4403-2007 | For a nutritional benefit program for low-income workers; provided, that benefits shall be provided only to those for whom receiving these benefits will improve the work participation rate under the federal program of temporary assistance for needy families..... | \$1,200,000 |
| 4403-2119 | For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program..... | \$6,576,576 |
| 4405-2000 | For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grant recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid from this item; provided further, that the department, in collaboration with the executive office of health and human services, may fund an optional supplemental living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified under chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and the office; provided further, that the optional category of payments shall only be administered in conjunction with the Medicaid group adult foster care benefit; and provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item | \$222,310,783 |
| 4408-1000 | For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefore; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or non-citizens otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the individual shall not be a subject to sponsor income deeming or related restrictions; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits | |



under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; and provided further, that, notwithstanding any general or special law to the contrary, 60 days before implementing any eligibility or benefit changes, the commissioner shall file with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the proposed changes \$74,658,966

OFFICE OF HEALTH SERVICES.

Department of Public Health.

- 4510-0040 The department may expend for services provided to regulate marketing activities of pharmaceutical and medical device companies an amount not to exceed \$840,000 from fees collected under chapter 111N of the General Laws\$840,000
- 4510-0100 For the administration and operation of the department, including the personnel



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| | support of programmatic staff within the department..... | \$18,575,757 |
| 4510-0600 | For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the bureau of environmental health assessment pursuant to chapter 111F of the General Laws, the ‘Right-to-Know’ law; provided, that the department shall file a report with the house and senate committees on ways and means, the joint committee on public health, and the joint committee on health care financing, on the status of local health inspections of food establishments, consistent with the department of public health food safety regulations and a report on the current waiting list for indoor air inspections by October 1, 2009..... | \$3,160,567 |
| 4510-0615 | The department may expend not more than \$75,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than \$1,499,783 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$1,574,783 |
| 4510-0616 | The department may expend not more than \$1,000,000 for a drug registration and monitoring program from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$1,000,000 |
| 4510-0710 | For the operation and administration of the division of health care quality, the office of patient protection, and the statewide infection prevention and control program; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; provided further, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth’s health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; and provided further, that the program shall promote the use of best practices, models of quality | |



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| | care giving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies | \$9,297,610 |
| 4510-0721 | For the operation and administration of the board of registration in nursing | \$1,256,313 |
| 4510-0722 | For the operation and administration of the board of registration in pharmacy | \$333,135 |
| 4510-0723 | For the operation and administration of the board of registration in medicine and the committee on acupuncture | \$1,812,024 |
| 4510-0725 | For the operation and administration of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, genetic counselors and respiratory care | \$362,004 |
| 4510-0726 | For the board of registration in medicine, including the physician profiles program; provided, that the board may expend revenues not to exceed \$300,000 from new revenues associated with increased license and renewal fees | \$300,000 |
| 4510-0790 | For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers | \$955,855 |
| 4510-0810 | For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support children's advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners | \$3,507,700 |
| 4512-0103 | For human immunodeficiency virus and acquired immune deficiency syndrome services and programs; provided, that particular attention shall be paid to direct funding proportionately to each of the demographic groups afflicted by HIV/AIDS; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2010 | \$34,371,702 |
| 4512-0106 | For the department of public health which may expend for the human immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an amount not to exceed \$1,500,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program of the Public Health Service Act, administered by the federal Health Resources and Services Administration and Office of Pharmacy Affairs | \$1,500,000 |
| 4512-0200 | For the division of substance abuse services, including a program to reimburse driver alcohol education programs for court adjudicated indigent clients | \$63,526,397 |
| 4512-0225 | The department of public health may expend not more than \$1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed prize money was won, and from the proceeds of a multi-jurisdictional lottery game under subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state comptroller shall transfer the amount to the General Fund; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the | |



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| | lesser of this authorization or the most recent revenue estimate therefor as reported in the state accounting system..... | \$1,000,000 |
| 4512-0500 | For dental health services; provided, that funds shall be expended to maintain a program of dental services for the developmentally disabled | \$1,424,477 |
| 4513-1000 | For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies..... | \$4,755,623 |
| 4513-1002 | For women, infants and children's, WIC, nutrition services in addition to funds received under the federal nutrition program; provided, that all new WIC cases, in excess of fiscal year 1991 caseload levels, shall be served in accordance with priority categories 1 through 7, as defined by the state WIC program..... | \$12,560,150 |
| 4513-1012 | The department of public health may expend not more than \$26,875,000 from revenues received from the federal cost-containment initiatives including, but not limited to, infant formula rebates; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most-recent revenue estimate as reported in the state accounting system | \$26,875,000 |
| 4513-1020 | For the early intervention program; provided, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that these funds may be used to pay for current and prior year claims; provided further, that priority shall be given to low and moderate income families; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; and provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its current eligibility criteria | \$23,054,904 |
| 4513-1023 | For the universal newborn hearing screening program; provided, that the funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department's receipt of data indicative of potential hearing disorders in newborns..... | \$71,497 |
| 4513-1024 | For the operation of a comprehensive, statewide shaken baby syndrome prevention program | \$192,994 |
| 4513-1026 | For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds may be expended for a program to address elder suicide behavior and attempts with the Geriatric Mental Health Services program within the department of elder affairs; and provided further, that funds may be expended for a Veterans in Crisis Hotline..... | \$2,819,444 |
| 4513-1111 | For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; | |



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| | ovarian cancer screening; a statewide stroke prevention program; hepatitis C prevention and management; multiple sclerosis screening, information, education, and treatment programs; Lyme disease prevention; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant section 25A of chapter 111 of the General Laws; and the maintenance of the statewide lupus database..... | \$6,295,685 |
| 4513-1130 | For the domestic violence and sexual assault prevention and treatment program; provided, that funds shall be expended for rape prevention and victim services, including the statewide Spanish language hotline; and provided further, that funds shall be expended for statewide suicide and violence prevention outreach to gay and lesbian youth..... | \$4,058,264 |
| 4516-0263 | For the department of public health; provided, that said department may expend not more than \$1,442,468 in revenues from various blood lead testing fees collected from insurers and individuals for the purpose of conducting such tests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate therefor, as reported in the state accounting system..... | \$1,442,468 |
| 4516-1000 | For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department shall give priority to the analysis of samples used in the prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; and provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item..... | \$13,985,848 |
| 4516-1010 | For the purposes of providing state matching funds for public health and hospital preparedness programs as required under the federal Pandemic and All-Hazards Preparedness Act Public Law 109-417, 2006 | \$1,133,713 |
| 4516-1022 | For the department of public health; provided, that the department may expend not more than \$300,000 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided further, that revenues collected may be used to supplement the costs of said laboratory; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system..... | \$300,000 |
| 4518-0200 | For the department of public health, which may expend not more than \$400,000 generated by fees collected from the following services provided at the registry of vital records and statistics, amendments of vital records, requests for vital records not issued in person at the registry and research requests performed by registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a copy of a birth certificate for the purpose of establishing eligibility for | |



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| | Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system..... | \$400,000 |
| 4530-9000 | For teenage pregnancy prevention services; provided, that funding shall be expended on those communities with the highest teen birth rates according to an annual statistical estimate conducted by the department | \$3,163,803 |
| 4580-1000 | For the operation of the universal immunization program, including the purchase and distribution of the rotavirus vaccine; provided, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded in this item; provided further, that notwithstanding any general or special law to the contrary, each health insurance carrier, as defined in chapter 176O of the General Laws, that conducts business in the commonwealth shall contribute to the total amount determined by the department to be sufficient to cover the costs of purchasing and distributing childhood vaccines for children in this item; and provided further, that the division of health care finance and policy, in consultation with the department, shall specify by regulation the method of calculating a proportional contribution and procedures for payment of the contribution to the General Fund..... | \$52,135,817 |
| 4590-0250 | For school health services and school-based health centers in public and non-public schools; provided, that services shall include, but not be limited to: (a) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (b) developing linkages between school health services programs and community health providers; (c) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services; and (d) incorporating obesity prevention programs, including nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that the services shall meet standards and eligibility guidelines established by the department in consultation with the department of education; and provided further, that funds shall be expended for school nurses and school-based health centers..... | \$13,422,121 |
| 4590-0300 | For smoking prevention and cessation programs..... | \$5,001,077 |
| 4590-0912 | For the department of public health, which may expend an amount not to exceed \$16,554,915 from reimbursements collected for western Massachusetts hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class charge-backs and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full payment under the medical assistance program administered by the executive office of health and human services pursuant to chapter 118E of the General Laws for all goods and services provided by the hospital in accordance with all federal requirements; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary of administration and finance; provided | |



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| | further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item | \$16,554,915 |
| 4590-0913 | For the department of public health which may expend not more than \$500,000 for payments received for those services provided by the Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system | \$500,000 |
| 4590-0915 | For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of pharmacy services; provided, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; and provided further, that reimbursements received for medical services provided at the Lemuel Shattuck hospital to inmates of county correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B | \$137,664,607 |
| 4590-0917 | For the department of public health; provided, that the department may expend an amount not to exceed \$4,160,000 from payments received from the vendor managing health services for state correctional facilities for inmate medical services provided by the Lemuel Shattuck hospital; provided further, that the payments may include capitation payments, fee for service payments, advance payments and other compensation arrangements established by contract between the vendor and the hospital; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system | \$4,160,000 |
| 4590-1503 | For the pediatric palliative care program established in section 24K of chapter 111 of the General Laws | \$786,444 |

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Children and Families.

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| 4800-0015 | For central and area office administration; provided, that the associated expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by, or discharged from, the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that the department, in | |
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consultation with the department of mental health, shall assist the latter department in making such assessments and recommendations; provided further, that, unless otherwise authorized, all funds, including federal reimbursements received by the department, shall be credited to the General Fund; provided further, that the department and the department of early education and care shall provide standards for early education and care placements made through the supportive child care program; provided further, that the department of children and families, in collaboration with the department of early education and care, shall maintain a centralized list detailing the number of children eligible for supportive child care services, the number of supportive slots filled and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under item 3000-3050 shall receive said services; provided further, that notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further, that the department shall employ not less than 1 full-time board-certified physician; provided further, that not later than February 15 of the current fiscal year, the department shall provide to the house and senate committees on ways and means and the joint committee on children and families a report detailing the number of medical and psychiatric personnel currently employed by or under contract with the department; provided further, that the report shall include the number of foster care reviews conducted by the department and the average length of time in which each review is completed; provided further, that the report shall contain the number of the department's contracts reviewed by the state auditor and the number of corrective action plans issued; provided further, that the report shall also include the number of corrective action plans entered into by the department; provided further, that the report shall include the number of social workers and supervisors who have earned a bachelors' or masters' degree in social work; provided further, that the report shall include the total number of social workers and the total number of social workers holding licensure, by level; provided further, that the comptroller shall act in accordance with item 1000-0001 if the report, with all of its components, is not filed within 10 days of the stated due date; provided further, that the department shall file a report on the first business day of each month to the senate and house committees on ways and means and the joint committee on children and families on the caseload of the department; provided further, that caseloads provided in this report shall include: residential placements, group care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care and the number of children presently receiving supportive child care, and the number of medical and psychiatric consultation requests made by the department's social workers; provided further, that the report shall include the number of approved foster care placements; provided further, that the report shall also include the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically-necessary; provided further, that the report shall include the number of children under the department of children and families care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; provided further, that the report shall also contain the number of children served by supervised visitation centers and the number of those children who are reunified with their families; provided further, that the report shall contain information on the total number of children served, their ages, the number of children served in each service plan, the number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; provided further, that the report shall also contain the number of families receiving multiple 51A reports within a



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| | 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; provided further, that the commissioner of the department of children and families may transfer funds between items 4800-0030, 4800-0038, and 4800-0041, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; and provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2010..... | \$69,880,096 |
| 4800-0016 | For the department of children and families which may expend for the operation of the transitional employment program an amount not to exceed \$484,000 from revenues collected from various state, county and municipal government entities, as well as state authorities, for the costs related to the provision of services by the participants and the overhead costs and expenses incurred by the not-for-profit managing agent selected by the commissioner for administering the program; provided, that notwithstanding any general or special law to the contrary, the commissioner of the department of children and families may enter into a contract with Roca, Inc., a not-for-profit community based-agency, to manage the transitional employment program and to provide services to participants from the aging out population, parolees, probationers, youth service releases, or other community residents considered to have employment needs..... | \$484,000 |
| 4800-0025 | For foster care review services | \$2,689,807 |
| 4800-0030 | For local and regional administration and coordination of services provided by lead agencies and regional resource centers; provided, that flex services provided by these agencies shall be funded from this item..... | \$12,602,759 |
| 4800-0036 | For a sexual abuse intervention network program to be administered in conjunction with the district attorneys..... | \$697,508 |
| 4800-0038 | For stabilization, unification, reunification, permanency, adoption, guardianship and foster care services provided by the department of children and families; provided, that \$5,600,000 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, may be spent on adoption and foster care services; provided further, that services funded through this item shall include shelter services, substance abuse treatment, family reunification networks, young parent programs, parent aides, education and counseling services, family preservation services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs and the Young Parent Support Program; and provided further, that the regional offices shall work with the contracted entities for children placed in the intensive foster care system and with the receiving communities of these children to ensure all necessary services are provided..... | \$301,484,364 |
| 4800-0041 | For group care services; provided, that funds may be expended from this item to provide intensive community-based services to children who would otherwise be placed in residential settings; and provided further, that the department shall form area review teams that shall evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a | |



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| | residential setting | \$223,569,417 |
| 4800-0091 | For the department of children and families which may expend not more than \$2,672,812 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2010 for the purposes of developing a training institute for professional development at the department of children and families with the University of Massachusetts Medical School and Salem State College; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of \$2,672,812 shall be credited to the General Fund; and provided further, that no funds shall be expended from this item for lease-purchases or the FamilyNet system | \$2,672,812 |
| 4800-0151 | For a program to provide alternative overnight non-secure placements for status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the programs which provide the alternative non-secure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce, if not altogether eliminate, juvenile crime | \$270,919 |
| 4800-1100 | For the AA and DD object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item | \$155,319,220 |
| 4800-1400 | For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that the department shall continue to provide any match funding required by federal program regulations; and provided further, that domestic violence prevention specialists shall be funded from this item | \$20,827,410 |

OFFICE OF HEALTH SERVICES.

Department of Mental Health.

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| 5011-0100 | For the operation of the department..... | \$29,648,399 |
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- 5042-5000 For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; and provided further, that funds may be expended for the Child Psychiatry Access Project \$69,699,953
- 5046-0000 For adult mental health and support services, including homelessness services, emergency service programs and acute inpatient mental health care services; provided, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs; and provided further, that the department shall allocate funds in an amount not to exceed \$5,000,000 from item 5095-0015, to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities \$368,329,611
- 5046-4000 For the department of mental health; provided, that the department may expend not more than \$125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program authorized by chapter 167 of the acts of 1987; and provided further, that all fees collected under that program shall be expended for the routine maintenance and repair of facilities in the CHOICE program including the costs of personnel \$125,000
- 5095-0015 For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close psychiatric hospitals managed by the department and shall endeavor within available resources to discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed \$5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at the centers and facilities; and provided further, that the department of mental health shall notify the joint committee on mental health and substance abuse and the house and senate committees on ways and means 60 days prior to the closure of any inpatient state hospital beds \$169,933,412

Department of Developmental Services.

- 5911-1003 For the administration and operations of the department of developmental services;



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| | provided, that the department shall not charge user fees for transportation or community day services; provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship; provided further, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the comptroller shall transfer from the Department of Developmental Services Trust Fund established in section 2RRR of chapter 29 of the General Laws an amount sufficient to reflect the costs of the assessment on public facilities collected under section 27 of chapter 118G of the General Laws and an amount sufficient to fund rate increases for services provided to MassHealth members by nonpublic intermediate care facilities and community-based residences; provided further, the comptroller shall transfer the federal financial participation received as a result of expenditures funded by the assessments to an account established for the department of developmental services to administer for the purposes described above; and provided further, that the assessments shall not be collected and the expenditures shall not be authorized until the department of developmental services and the executive office of health and human services certify the receipt of federal approval of any home and community-based waiver amendments and related Title XIX state plan amendments, if required | \$67,224,506 |
| 5911-2000 | For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department..... | \$13,537,324 |
| 5920-2000 | For vendor-operated, community-based, residential adult services, including intensive individual supports; provided, that funds shall be expended towards compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide services for class members; provided further, that funds shall be expended for court monitor costs associated with the Rolland settlement agreement; provided further, that annualized funding shall be expended for turning 22 clients who began receiving the services in fiscal year 2009 pursuant to item 5920-5000 of section 2 of chapter 182 of the acts of 2008; provided further, that the commissioner of the department of developmental services shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of said funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before any such transfer; and provided further, that not more than \$5,000,000 shall be transferred from this item in fiscal year 2010 | \$699,954,252 |
| 5920-2010 | For state-operated, community-based, residential services for adults, including community-based health services; provided, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item | \$144,559,478 |
| 5920-2025 | For community-based day and work programs for adults | \$91,988,888 |
| 5920-3000 | For respite services and intensive family supports; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services..... | \$23,521,184 |
| 5920-3010 | For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than the amount expended in fiscal year 2009 on the Children's Autism | |



Spectrum Disorder Waiver; and provided further, that the department shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities on the number of contracted support services provided for families with autistic children under this item and the costs associated with such services, not later than January 4, 2010, including but not limited to, a report on the services provided by the Children's Autism Spectrum Disorder Waiver program, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender, and geographic representation of the applicants and the children enrolled in the program, and department plans to continue to assess the demand for waiver services\$4,123,387

5930-1000 For the operation of facilities for the mentally retarded; provided, that in order to comply with the provisions of the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close intermittent care facilities for the mentally retarded, in this item called ICF/MRs, managed by the department and shall endeavor, within available resources, to discharge clients residing in the ICF/MRs to residential services in the community if the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department shall report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means on the progress of this initiative by December 1, 2009, including both past actions and proposed future actions; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at ICF/MRs; and provided further, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item\$164,355,936

5982-1000 For the department of developmental services; provided, that the department may expend not more than \$150,000 accrued through the sale of milk and other farm-related and forestry products at the Templeton Developmental Center for program costs of the center, including supplies, equipment and maintenance of the facility; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system\$150,000

EXECUTIVE OFFICE OF TRANSPORTATION.

Office of the Secretary.

6000-0100 For the office of the secretary of transportation; provided, that the office shall submit quarterly reports to the joint committee on transportation and the house and senate committees on ways and means detailing projects funded through the statewide



transportation improvement program including, but not limited to, the location of the projects, the cost of the projects, the date of advertisement of the projects, the commencement date of the projects, the projected completion date of the projects and the source of funds for the projects; provided further, that the office shall also provide the committees with quarterly reports detailing construction and reconstruction projects on town and county ways as described in subdivision (a) of clause (2) of the first paragraph of section 34 of chapter 90 of the General Laws for which municipalities are projected to seek, have filed claims or have been paid state reimbursement; provided further, that a city or town shall comply with the procedures established by the secretary to obtain the necessary information to produce the reports; provided further, that the reports shall include, but not be limited to, the cost of the projects by city or town, the source of funding of the projects by city or town and the commencement and completion dates of the projects by city or town; provided further, that the secretary of transportation, in collaboration with the commissioner of highways, shall file an annual report with the joint committee on transportation and the house and senate committees on ways and means not later than June 30; provided further, that the report shall include spending through the statewide road and bridge program, the Chapter 90 program, the Small Town Road Assistance Program and all other programs expending funds for road and bridge projects; provided further, that the report shall detail the location of the project by city or town, a brief project description, the project cost, the expected completion date, the source of funding and any other information deemed necessary; provided further, that the office shall submit to the house and senate committees on ways and means quarterly reports detailing all personnel-related expenditures made from capital funds; provided further, that the reports shall delineate for the executive office and for each agency, board, authority or commission under its control, the amounts paid in the prior quarter as compensation for each type of position assigned to capital projects that were charged to each such funding source; provided further, that the reports shall also delineate by funding source any other amounts paid for personnel-related costs that were charged to those funds, including payroll allocations for budgetary employees, fringe recovery and other chargebacks; provided further, that the reports shall identify the number of full time equivalent personnel classified in each position type; provided further, that the reports shall list all employees who are paid from this item and items 6010-0002 and 6006-0003 who also receive payments from any capital funds; provided further, that the reports shall include for each of those employees how much money the employees receive from the items and how much money each employee receives from any capital funds; provided further, that the reports shall delineate the information for full-time employees, part-time employees and contracted personnel; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements.....\$2,474,447

Highway Fund 100.0%

6000-0110 For the purpose of property management and maintenance of railroad properties owned by the executive office of transportation on behalf of the commonwealth, including the cost of personnel; provided, that the office may expend an amount not to exceed \$27,344 from the rents and fees received pursuant to section 4 of chapter 161C of the General Laws\$27,344

Highway Fund 100.0%

6000-1700 For the provision of information technology services within the executive office of transportation\$6,438,755



Highway Fund 100.0%

6005-0015 For certain assistance to the regional transit authorities, including operating grants and reimbursements to increase the accessibility of transit provided to the elderly and disabled under the mobility assistance program, the regional transit authority program and the intercity bus capital assistance program; provided, that the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July 1, 2009 and ending June 30, 2010, may enter into contracts with the authorities; provided further, that notwithstanding section 152A of chapter 161 of the General Laws and section 23 of chapter 161B of the General Laws, the amount shall be at least 50 per cent but not more than 75 per cent of the net cost of service of each authority incurred in fiscal year 2009, shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities; provided further, that the share assessed upon the cities and towns shall be at least 25 per cent of the net cost of service; provided further, that in the event that 25 per cent of the net cost of service of each authority exceeds 102.5 per cent of the previous year's local assessment, excluding payments made by cities and towns for the costs of new service for which the cities and towns have not previously been assessed as allowed by chapter 580 of the acts of 1980, the regional transit authority shall reduce its operating expenses or increase its revenues to meet the difference; provided further, that operating expenditures of each of the regional transit authorities for fiscal year 2010 shall not exceed 102.5 per cent of its operating expenditures for fiscal year 2009; provided further, that for the purposes of this item, operating expenditures shall not include federal, private or additional municipal non-state revenue sources or any expenses arising from the provision of services required by the Americans with Disabilities Act, or new services implemented after July 1, 1999, in an amount not to exceed a total of \$3,613,905 for the 16 regional transit authorities; provided further, that the new services shall have first received approval of the appropriate regional transit authority advisory board; provided further, that not less than 25 per cent of the net cost of service of the new services shall be assessed to the cities and towns of the appropriate transit authority, as detailed previously in this item; provided further, that each regional transit authority which provides the new services shall file a report with the house and senate committees on ways and means and the joint committee on transportation, detailing the total costs and revenues associated with the new service; provided further, that the cost of the new services shall not annualize to more than \$3,613,905; provided further, that the executive office of transportation and the authorities shall work cooperatively to implement multi-year contracting for regional transit authority capital projects, particularly for construction projects and other multi-year commitments of the authorities; provided further, that the regional transit authorities shall implement structural, managerial and administrative reforms in order to achieve cost savings in services provided by the authorities; provided further, that the reforms shall include, but not be limited to, improved financing procedures for capital needs, approved plans for short and long-term service, a coordinated program of mass transportation for the regional transit authorities that provides standards of service for the authorities for types of service, passenger miles, hours of service, cost of service by route and mile and passenger, non-transportation revenue and system revenue-generating options including, but not limited to, fare revenue and advertising revenue, assessments on member cities and towns, net operating investment per passenger-mile ratio and service quality standards; provided further, that the program shall involve an approach to service coordinated with the Massachusetts Bay Transportation Authority and other transit providers in order to achieve maximum efficiency of regional transit authority service routes; provided further, that all regional transit authorities shall achieve the fare or revenue recovery ratio of 40 per cent within 18 months after the effective date of this act; and provided further, that the



Massachusetts Association of Regional Transit Authorities shall, on or before November 15, 2009, report to the joint committee on transportation and the house and senate committees on ways and means on the operations of the authorities in the first half of fiscal year 2010 and focus the report on the reforms and improvements.....\$44,670,909

General Fund 80.0%
Highway Fund 20.0%

Massachusetts Aeronautics Commission.

6006-0003 For the administration of the commission, including the expenses of the commissioners\$395,829

Department of Highways.

6010-0001 For personnel costs of the department of highways, for certain administrative and engineering expenses and equipment of the highways commission, the office of the commissioner of highways, the division of administrative services, highway engineering, highway maintenance, highway construction, the outdoor advertising board, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment and the maintenance and operation of state highways and bridges and for the costs associated with the global positioning system program; provided, that no expenditures shall be made from the AA object code; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing all amounts expended on bond-funded capital projects under the jurisdiction of the department and for all administrative and personnel expenses of the department charged to such bonds; provided further, that the reports shall be filed not later than 30 days after the end of each quarter; provided further, that the costs of routine highway maintenance provided by private and union workers in contract areas 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B and 5C and for costs associated with police services and overtime within such areas shall be paid from this item; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials and vehicle repairs\$8,733,602

Highway Fund 100.0%

6010-0002 For AA object class payroll costs of item 6010-0001; provided, that the funds appropriated in this item shall be the only source of funding for all overtime expenses associated with the department's snow and ice control efforts.....\$25,753,748

Highway Fund 100.0%

6010-0003 For the department of highways; provided, that the department may expend revenues collected up to \$500,000 from revenue generated from promotional programs; provided further, that funds collected shall be used for the management of that program and for highway maintenance costs; provided further, that the department shall prepare a report delineating the proposed allocation of funds to be expended for the management of such program and highway maintenance costs; provided further, that the report shall be filed with the house and senate committees on ways and means not later than 30 days prior to any encumbrance of the funds; and provided further, that the program and any expenditures made under the program shall comply with all statutes, rules and regulations governing billboards, signs and



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| | other outdoor advertising devices..... | \$500,000 |
| | Highway Fund | 100.0% |
| 6030-7201 | For the costs of hired and leased equipment, vehicle repair, fuel costs and sand, salt and other control chemicals used for snow and ice control..... | \$65,000,000 |
| | Highway Fund | 100.0% |
| <i>Board of Library Commissioners.</i> | | |
| 7000-9101 | For the operation of the board of library commissioners | \$938,042 |
| 7000-9401 | For state aid to regional public libraries; provided, that the board of library commissioners may provide quarterly advances of funds for purposes authorized by clauses (1) and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional public library systems throughout each fiscal year, in compliance with the office of the comptroller's regulations on state grants, 815 CMR 2.00; and provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2010 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2009 distribution..... | \$12,341,160 |
| 7000-9402 | For the talking book library at the Worcester public library | \$421,143 |
| 7000-9406 | For the Braille and talking book library at Watertown, including the operation of the machine lending agency | \$2,241,016 |
| 7000-9501 | For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of the city or town for free public library services is below an amount equal to 102.5 per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2010 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program and under the guidelines of the library incentive grant program and under the guidelines for the nonresident circulation offset program; and provided further, that any payment made under this item shall be deposited with the treasurer of the city or town and held in a separate account and shall be expended by the public library of that city or town without appropriation, notwithstanding any general or special law to the contrary | \$7,107,657 |
| 7000-9506 | For the technology and automated resource sharing networks | \$1,929,238 |

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

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| 7002-0100 | For the operation of the executive office of labor and workforce development, including the divisions under the control of the department; provided, that not later than January 4, 2010, the director of workforce development shall submit to the | |
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house and senate committees on ways and means a comprehensive report describing in detail the job training services, including labor exchange, skills training and remedial education services related thereto which have been provided during the course of the fiscal year, systems for delivery of such services, the costs of such services and the sources of revenue for such services\$1,050,292

7002-0170 For the provision of information technology services within the executive office of labor and workforce development.....\$213,779

Department of Labor.

7002-0200 For the operation of the division of occupational safety; provided, that the division may employ staff not subject to chapter 31 of the General Laws for a program to evaluate asbestos levels in public schools and other public buildings.....\$1,770,497

7002-0201 For the division of occupational safety; provided, that the division may expend an amount not to exceed \$252,850 received from fees authorized under section 3A of chapter 23 of the General Laws and civil fines issued under sections 197B of chapter 111 of the General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149 of the General Laws.....\$252,850

7002-0500 For the operation and administrative expenses of the division of industrial accidents; provided, that the General Fund shall be reimbursed the amount appropriated in this item and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws; and provided further, that the treasurer may release to the division, subject to adequate and appropriate documentation of the need, to the workers' compensation advisory council and the affirmative vote of at least 7 members of the workers' compensation advisory council, sufficient funds from the special reserve account established in clause (c) of subsection (4) of said section 65 of said chapter 152 to pay for expenses to continue expansion of the conversion of the agency's computer system from unify to oracle\$18,640,541

7002-0900 For the operation of the division of labor relations.....\$1,838,835

Department of Workforce Development.

7002-0101 For the operation of the apprentice training program; provided, that no position in the apprentice training division shall be subject to chapter 31 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, the deputy director shall require each apprentice entering into a written agreement to submit an application to the division for an apprentice identification card; provided further, that an apprentice identification card shall contain the photograph of the apprentice, the apprentice registration number or another number that the deputy director requires, the name and business address of the appropriate apprenticeship committee or single employee sponsor, the steps of progression and related dates applicable to the apprentice and the projected date on which the apprentice is to complete the apprenticeship; provided further, that as a condition of his apprenticeship, the apprentice shall keep the apprentice identification card on his person during his hours of employment during the apprenticeship; provided further, that an apprentice performing work on a project subject to this item shall maintain in his possession an apprentice identification card; provided further, that any apprentice who is determined by the deputy director to be not enrolled in related classroom instruction classes shall be paid at the journey level rate for the duration of the public works project; and provided further, that for every week in which an apprentice is employed by a contractor, subcontractor or public body



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| | subject to this item, a photocopy of the apprentice's apprentice identification card shall be attached to the records submitted under this item..... | \$207,696 |
| 7003-0701 | For grants and technical assistance administered by the department of workforce development, under section 2RR of chapter 29 of the General Laws and for the cost of collecting the assessment established in section 14L of chapter 151A of the General Laws; provided, that the department of workforce development shall provide a report on the grants and technical assistance programs authorized in this item detailing the firms receiving grants, by number of employees, revenues, and industry, to the house and senate committees on ways and means not later than January 15, 2010; provided further, that the report shall include specific measures of how grant recipients were able to increase job growth, retention rates, and productivity as a result of the grants; provided further, that the report shall include measures of whether training participants received promotions and increased incomes as a result of training; and provided further, that the director shall demonstrate that each dollar expended generates not less than \$5 in private investment in job training | \$5,000,000 |
| | Workforce Training Fund..... | 100.0% |
| 7003-0803 | For the one-stop career centers..... | \$4,694,467 |

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Office of the Secretary.

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| 7002-0010 | For the operation of the office of the secretary of housing and economic development and the Massachusetts business-to-business program; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements; and provided further, that a report shall be submitted to the house and senate committees on ways and means not later than February 1, 2010, which shall include, but not be limited to, the following: (1) the number of businesses that have used the Massachusetts business-to-business program in fiscal year 2010, including both businesses located in the commonwealth and those that were attracted to Massachusetts by the program; (2) the number of jobs the commonwealth has retained as a result of the funding of this program; and (3) the amount of private investment that has occurred as a result of the funding of this program | \$506,531 |
| 7002-0017 | For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system | \$2,897,371 |
| 7002-0045 | For the operation of the office of the wireless and broadband affairs director | \$194,189 |

Department of Housing and Community Development.

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| 7004-0001 | For the commission on Indian affairs | \$99,698 |
| 7004-0099 | For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs under a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making these expenditures; provided further, that | |



expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items, 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316, and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it considers necessary to conduct this income verification; provided further, that notwithstanding any general or special law to the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; and provided further, that for the purposes of clarification only, notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made under the neighborhood housing services rehabilitation program\$6,895,062

7004-0100 For the operation of the homeless shelter and services unit, including the compensation of caseworkers and support personnel\$4,754,159

7004-0101 For certain expenses of the emergency assistance program as follows: (i) contracted family shelters; (ii) transitional housing programs; (iii) programs to reduce homelessness in Barnstable, Dukes, Hampden and Nantucket counties; (iv) residential education centers for single mothers with children; (v) intake centers; and (vi) voucher shelters; provided, that eligibility shall be limited to families with income at or below 100 per cent of the federal poverty level; provided, however, that any family whose income exceeds 100 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 100 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow some portion of their income; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset limits; provided further, that the family may withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the emergency assistance program; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that eligible households shall be placed in shelters as close as possible to their home



community unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any non-shelter benefit; provided further, that the department shall make every effort to ensure that children receiving services from this item shall continue attending school in the community in which they lived prior to receiving services funded from this item; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that a family who previously received shelter is ineligible for shelter benefits for a period of 12 months; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws; provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from the family whenever reasonable; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility or benefit changes, the undersecretary shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of housing and economic development that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means on the emergency assistance family shelter program; and provided further, that the report shall contain the same data required in item 4403-2120 of section 2 of chapter 139 of the acts of 2006.....\$82,612,510

7004-0102 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide shelter, transitional housing, and services that help individuals avoid entry into shelter or successfully exit shelter; provided, that no organization providing services to the homeless shall receive less than an average per bed/per night rate of \$12.92; and provided further, that a grant shall be provided to the Home and Healthy for Good program\$37,361,684

7004-3036 For housing services and counseling; provided, that funds shall be expended as grants to 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be through a competitive application process under criteria created by the department; provided further, that the department shall submit annual reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of the program,



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| | including each regional housing consumer education center, the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; provided further, that said department shall report to the house and senate committees on ways and means no later than March 1, 2010 on possible savings and efficiencies that may be realized through the consolidation of said services; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees..... | \$1,624,317 |
| 7004-3045 | For a tenancy preservation program for neutral party consultation services in eviction cases before the housing court department of the Massachusetts trial court for individuals with disabilities and for families with members with disabilities if the disability is directly related to the reason for eviction | \$250,000 |
| 7004-4314 | For the expenses of a service coordinators program established by the department to assist tenants residing in housing developed pursuant to sections 39 and 40 of chapter 121B of the General Laws to meet tenancy requirements in order to maintain and enhance the quality of life in that housing..... | \$350,401 |
| 7004-9005 | For subsidies to housing authorities and nonprofit organizations including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2009, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the amount appropriated in this item shall be considered to meet any and all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2010 eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; and provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs..... | \$62,000,000 |
| 7004-9024 | For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility | |



shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations including, but not limited to, family size, composition, income level and geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 months' rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher the use of which is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies \$32.50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent and each household holding a mobile voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but shall not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent these programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in the program; provided further, that for continued eligibility, each participant shall execute this 12-month contract on or before September 1, 2009, if the participant's annual eligibility recertification date occurs between June 30, 2009, and September 1, 2009, and otherwise on or before the annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is disabled may be exempted from any obligations unsuitable under particular circumstances; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, upon their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2009..... \$17,997,061

7004-9030 For the transitional rental assistance program established under section 16 of chapter



179 of the acts of 1995; provided, that notwithstanding any general or special law to the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household which is proven to have caused intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1 year shall be terminated from the program; provided further, that the department shall pay agencies that administer this program an allowance not to exceed \$25 per voucher per month for the costs of administration; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, but each household shall be required to pay not less than 25 per cent of its net income, as defined in regulations promulgated by the department, for units if payment of utilities is not provided by the unit owner, or, not less than 30 per cent of its income for units if payment of utilities is provided by the unit owner; provided further, that payments for the transitional rental assistance may be provided in advance; provided further, that the department shall establish the amounts of the mobile vouchers, so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the appropriation set forth in this item; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent," as used in this item, shall mean payments to the landlord or owner of a dwelling unit under a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that the department shall submit an annual report to the budget director, the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased; provided further, that consistent with chapter 179 of the acts of 1995, the amount appropriated in this item shall not annualize to more than \$4,000,000 in fiscal year 2011; and provided further, that the program shall provide funding for not more than 800 mobile vouchers.....\$3,450,000

7004-9033 For rental subsidies to eligible clients of the department of mental health; provided, that the department shall establish the amounts of such subsidies so that payment thereof and of any other commitments from this item shall not exceed the amount appropriated herein.....\$3,000,000

7004-9315 For the low-income housing tax credit program; provided, that the department may expend not more than \$2,329,213 from revenue collected from fees collected under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,329,213

7004-9316 For a program to provide assistance for homeless families moving into subsidized or private housing and families at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that the amount of financial



assistance shall not exceed \$2,000 per family; provided further, that funds may be used for security deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility arrearages incurred on or after December 1, 2006; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no assistance shall be provided to any family with an income in excess of 50 per cent of the area median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make a finding that the family experienced a significant reduction of income or increase in expenses and has secured new income or a change in circumstances and that the payment will enable the family to retain its current housing, obtain new housing, or otherwise avoid homelessness; provided further, that in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a presumption that the payment will enable a family to retain its housing, obtain new housing, or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing, or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from these services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further, that the program shall be administered under guidelines established by the department; and provided further, that the department shall provide a status report to the secretary of administration and finance and the house and senate committees on ways and means no later than March 1, 2010, that includes, but is not limited to, all program expenditures, the number of recipients of the funds, the housing status of the recipients before and after receiving assistance, the purposes for which each family used the assistance, the administrative costs and other related costs of the program, including whether such recipient resided or continues to reside in state or federal public housing, and any other information necessary to determine the effectiveness of the program.....\$2,000,000

Office of Consumer Affairs and Business Regulation.

7006-0000 For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit\$982,341

7006-0043 The office of consumer affairs may expend for the administration and enforcement of the home improvement contractor program an amount not to exceed \$500,000 from the revenue collected from fees for the registration and renewal of home improvement contractor registrations under section 11 of chapter 142A of the General Laws; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization of the most recent revenue estimate, as reported in the state accounting system\$500,000

Division of Banks.

7006-0010 For the operation of the division of banks; provided, that notwithstanding any general



or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon financial institutions which the division currently regulates pursuant to powers granted to the division by the general or special laws or by regulations; and provided further, that this assessment shall be in addition to any assessments that the division currently assesses upon financial institutions and shall be made at a rate sufficient to produce \$12,931,502 in additional revenue that shall pay for this item \$12,931,502

- 7006-0011 For the costs incurred by the division of banks associated with licensure of loan originators pursuant to chapter 255F of the General Laws; provided, that the division may expend revenues in an amount not to exceed \$5,000,000 from the revenue received from administrative fees associated with said licensure fees and from civil administrative penalties pursuant to said chapter 255F; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system \$5,000,000

Division of Insurance.

- 7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle liability policies and bonds and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to chapter 31 of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws; provided further, that the division shall designate an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or regulations promulgated under section 51 of chapter 111 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce \$11,620,632 in additional revenue that will pay for this item..... \$11,620,632

- 7006-0029 For the operation of the health care access bureau of the division of insurance; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce \$1,100,000 in additional revenue that will pay for this item..... \$1,100,000

Division of Professional Licensure.

- 7006-0040 For the operation and administration of the division of professional licensure; provided, that of the funds appropriated in this item, sufficient monies shall be expended for the reduction of case backlog at the boards of registration; provided further, that the division shall at all times employ not less than 2 hearing officers to facilitate the processing of cases pending before the various boards; and provided



further, that the position of investigator of radio and television technicians shall not be subject to chapter 31 of the General Laws\$2,982,991

Division of Standards.

7006-0060 For the operation of the division of standards\$572,096

7006-0066 For the support of the division of standards' municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated herein may be expended for administrative costs of the division\$283,617

7006-0067 For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed \$58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns\$58,751

7006-0068 For the division of standards; provided, that the division may expend an amount not to exceed \$360,000 from revenue received from license fees assessed to owners of motor vehicle repair shops\$360,000

Department of Telecommunications and Cable.

7006-0071 For the operation of the department of telecommunications and cable; provided, that notwithstanding the second sentence of section 7 of chapter 25C of the General Laws, the assessments levied for fiscal year 2010 pursuant to said section 7 of said chapter 25C shall be made at a rate sufficient to produce \$2,685,874.....\$2,685,874

State Racing Commission.

7006-0110 For the operation of the state racing commission\$1,604,173

7006-0140 For distribution to each city and town within which racing meetings are conducted under section 18D of chapter 58 of the General Laws.....\$1,179,000

Department of Business Development.

7007-0100 For the office of the director of business development.....\$393,908

7007-0300 For the operation of the Massachusetts office of business development, which shall include the operation and support of capital grants programs, including the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program, established in chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries.....\$2,259,352

7007-0800 For a grant for the state match for a small business development center; provided, that no funds may be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than 25 per cent of the amount appropriated herein shall be expended for the purpose of operating federal procurement technical assistance services within said center; provided further, that the services shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational



workshops and seminars and the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the purpose of operating federal procurement technical assistance services within said center shall be subject to the receipt of matching funds from federal or private sources, including the United States Department of Defense; and provided further, that quarterly expenditure reports shall be filed with the house and senate committees on ways and means\$1,204,286

7007-0900 For the operation and administration of the office of travel and tourism; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; and provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds\$6,483,636

Massachusetts Tourism Fund.....100.0%

7007-0951 For the operation of the Commonwealth Zoological Corporation pursuant to chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item may not be transferred through interdepartmental service agreements; and provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2010, on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan, dated December, 1996.....\$5,100,000

7007-1500 For the operation and administration of the office of minority and women business assistance; provided, that the office shall administer an electronic business certification application which shall be accessible to business applicants through use of the internet; provided further, that the office shall ensure the integrity and security of personal and financial information transmitted by electronic application; provided further, that the office shall, using all existing available resources, provide certification services within each of the 1-stop regional assistance centers of the Massachusetts office of business development; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process.....\$590,252

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary.

7009-1700 For the operation of information technology services within the executive office of education\$8,009,023

7009-6379 For the operation of the office of the secretary of education; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations under interdepartmental service agreements.....\$762,872

Department of Elementary and Secondary Education.

7010-0005 For the operation of the department of elementary and secondary education; provided, that not later than November 17, 2009, the department shall submit a



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| | progress report to the secretary of administration and finance, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education on efforts by the department to further define and advance the strategic vision of the department, along with a detailed implementation plan for realizing that vision..... | \$13,400,821 |
| 7010-0012 | For grants to cities, towns and regional school districts for payments of certain costs and related expenses for the program to eliminate racial imbalance established under section 12A of chapter 76 of the General Laws; provided, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools | \$18,491,758 |
| 7010-0033 | For literacy and early literacy programs including, but not limited to, the Bay State Reading Institute program, the John Silber early literacy program, and the Reading Recovery program; provided, that said programs shall provide ongoing evaluation of the outcomes thereof and shall document said outcomes annually to the department and to the house and senate committees on ways and means..... | \$3,475,489 |
| 7010-1022 | For the development and implementation of certificates of occupational proficiency..... | \$209,356 |
| 7027-1004 | For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 386 of the acts of 2002; provided, that the department shall only approve professional development courses and offerings with proven, replicable results in improving teacher performance, and which shall have demonstrated the use of best practices, as determined by the department, including data comparing pre-training and post-training knowledge; provided further, that the department shall, not later than February 15, 2010, provide a report on the number of educators who have received such training since passage of said chapter 386 the estimated number who need such additional training, and a review and analysis of the most effective types of professional development and the most common gaps in the knowledge base of educators implementing English immersion and teaching English language acquisition, along with legislative or regulatory recommendations of the department; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; and provided further, that no funds shall be expended for personnel costs | \$397,937 |
| 7028-0031 | For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further, that the department of youth services shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of elementary and secondary education, in conjunction with the commissioner of youth services, shall submit a report on progress made to the house and senate committees on ways and means not later than December 1, 2009..... | \$7,685,712 |
| 7030-1002 | For kindergarten development grants to provide ongoing grant awards to continue quality enhancement of existing full-day kindergarten classrooms; provided, that the department shall administer a grant program to encourage the voluntary expansion of high quality, full-day kindergarten education throughout the commonwealth; provided further, that grants funded through this appropriation | |



shall not annualize to more than \$18,000 per classroom in subsequent fiscal years; provided further, that preference shall be given to grant applicants with high percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system exam, as determined by the department based on available data; provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 15, 2010, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year 2011; and provided further, that no funds shall be expended for personnel costs... \$26,748,947

- 7035-0002 For the provision and improvement of adult basic education services, including reading, writing and mathematics; provided, that grants shall be distributed to a diverse network of organizations which have demonstrated commitment and effectiveness in the provision of such services and that are selected competitively by the department of elementary and secondary education; provided further, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education..... \$28,085,096
- 7035-0006 For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated in this item..... \$30,521,840
- 7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of nonresident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the amount appropriated herein be insufficient to fully fund said section 8A, initial reimbursements made by the department of elementary and secondary education may be pro-rated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A, the department shall, within 10 days, notify the secretary of administration and finance, the house and senate chairs of the joint committee on education, and the chairs of the house and senate ways and means committees of the amount needed to fully fund said obligation.....\$646,855
- 7051-0015 For operating funds to distribute food for the Massachusetts emergency food



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| | assistance program | \$1,239,518 |
| 7053-1909 | For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, cited as the National School Lunch Act and in the regulations implementing the act | \$5,426,986 |
| 7053-1925 | For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided further, that the department of elementary and secondary education shall solicit proposals from returning sponsors and school food authorities in time for implementation of such grant program during the summer of 2010; provided further, that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of such grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2010; provided further, that funds shall be expended for the universal school breakfast program in which all children in schools receiving funds under the program shall be provided free, nutritious breakfasts at no cost to them; provided further, that subject to regulations of the board that specify time and learning standards, breakfasts shall be served during regular school hours; provided further, that participation shall be limited to those elementary schools mandated to serve breakfast under section 1C of said chapter 69 where 60 per cent or more of the students are eligible for free or reduced-price meals under the federally-funded school meals program; provided further, that the department shall select school sites for programs authorized by this item not later than November 16, 2009, and shall report to the house and senate committees on ways and means on the preliminary results of these grants not later than January 8, 2010; provided further, that nothing in the universal school breakfast program shall give rise to enforceable legal rights in any party or enforceable entitlement to services; and provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2010, prior appropriation continued | \$4,177,635 |
| 7061-0008 | For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools to be distributed under chapters 70 and 76 of the General Laws and section 3; provided, that each school district shall report annually to the department of elementary and secondary education on its professional development expenditures, in a manner and form prescribed by the commissioner and consistent with the accountability requirements of the federal No Child Left Behind Act P.L.107-110; provided further, that the department of elementary and secondary education shall report annually to the house and senate committees on ways and means on school districts' professional development spending; and provided further, that the governor may allocate \$180,035,732 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$3,869,847,585 |



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| 7061-0012 | For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that expenses of this item do not exceed the amount appropriated in this item; provided further, that upon receipt by the department of elementary and secondary education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2009 claims; provided further, that the department may expend funds to continue and expand voluntary residential placement prevention programs between the department of elementary and secondary education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that the department shall make funds available to the department of developmental services for the voluntary residential placement prevention program administered by that department; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository, to do outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks, and for human voice recording of MCAS exams; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students; provided further, that funds may be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational agency applications, and local school districts' compliance with the part B requirements of the federal Special Education Law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that these monitoring activities shall occur in each school district in cycles of not less than 3 years; provided further, that funds may be expended to administer the reimbursements funded herein; provided further, that funds may be expended to reimburse districts for extraordinary increases in costs incurred during fiscal year 2010 which would be reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2009 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2010 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that reimbursements for current year costs shall be allocated as 1-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2009 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2010 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than February 15, 2010 on the results of the audits | \$105,113,160 |
| 7061-0029 | For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws..... | \$1,373,226 |
| 7061-9010 | For tuition payment reimbursements calculated under subsection (oo) of section 89 of chapter 71 of the General Laws; provided, that notwithstanding said subsection (oo) of said chapter 71, this item shall only fund reimbursements of 60 per cent of the amount by which a district's charter school tuition amounts in fiscal year 2009 were greater than its total charter school tuition amount for fiscal year 2008, and 40 per cent of the amount by which the district's charter school tuition amounts for fiscal year 2008 were greater than its total charter school tuition amount for fiscal year | |



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| | 2007; and provided further, that any excess funds in this item after payments have been made in full shall be transferred to item 7061-9020 if that item does not have sufficient funds to reimburse the tuition amounts required by said section 89 of said chapter 71 | \$29,865,079 |
| 7061-9020 | For fiscal year 2010 payments to charter schools for facilities aid and fiscal year 2010 tuition increases; provided, that notwithstanding subsections (nn) and (oo) of section 89 of chapter 71 of the General Laws or any other general or special law to the contrary, the total tuition amount owed by a sending district to a charter school shall be the per pupil tuition amount for fiscal year 2009 as defined in said subsection (nn) of said section 89 of said chapter 71 multiplied by the total number of students attending the charter school from that district in fiscal year 2009; provided further, that the commonwealth shall provide payments directly to charter schools for the per pupil capital needs component which, in fiscal year 2010, shall be \$893; provided further, that notwithstanding said subsection (oo) of said section 89 of said chapter 71, or any other general or special law to the contrary, the commonwealth shall provide payments directly to charter schools for the amount by which the district's charter school tuition amounts for fiscal year 2010 are greater than its total charter school tuition amount for fiscal year 2009; and provided further, that if the amount appropriated is insufficient to fully fund all reimbursements required by said section 89 of said chapter 71, the department shall fully reimburse the cost of the per pupil capital needs component and shall prorate the tuition reimbursements calculated under said subsection (oo) of said section 89 of said chapter 71 | \$49,886,500 |
| 7061-9200 | For the education technology program | \$657,526 |
| 7061-9400 | For student and school assessment including the administration of the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and for grants to school districts to develop portfolio assessments for use in individual classrooms as an enhancement to student assessment; provided, that as much as is practicable, especially in the case of students whose performance is difficult to assess using conventional methods, such instruments shall include consideration of work samples and projects and shall facilitate authentic and direct gauges of student performance; provided further, that such portfolio assessments shall not replace the statewide standardized assessment based on the curriculum frameworks; provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which shall be relevant and meaningful to students, parents, teachers, administrators and taxpayers pursuant to the first paragraph of section 1L of said chapter 69; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English..... | \$25,290,411 |
| 7061-9404 | For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2014, inclusive, scoring in level 1 or 2 on the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of said chapter 69 of the General Laws; provided, that the department and districts shall ensure that services are available to students with disabilities; provided further, that in awarding remediation funds, preference may be given to schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of said chapter 69; provided further, that the purpose of this program shall be to improve students' performance on the MCAS exam through replication of services and educational strategies with proven results | |



as determined by the department of elementary and secondary education; provided further, that such programs shall supplement currently funded local, state, and federal programs at the school or district; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2010, and operated by public institutions of higher education or by public-private partnerships, for students in the graduating classes of 2003 to 2010, inclusive, who have completed high school but have not yet obtained a competency determination as defined in said section 1D of said chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English and math MCAS tests, obtain a competency determination, and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2010, to allow for summer remediation programs; provided further, that funds shall be expended for a competitive grant program to fund Pathways programs targeting eleventh and twelfth graders, instituted by local school districts, public institutions of higher education and qualified public and private educational services organizations and one stop career centers including, but not limited to, school-to-work connecting activities, creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS, and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the department of elementary and secondary education, for intensive remediation programs in communities with students in the graduating classes of 2003 to 2014, inclusive, who have not obtained a competency determination or have scored in levels 1 or 2 on either the English or math MCAS exams; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English and math; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until it submits to the department of elementary and secondary education a comprehensive district plan pursuant to the provisions of said section 1I of said chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that an evaluation shall examine the likelihood and efficiency of replication of these programs and practices in school districts with a large percentage of English language learners; provided further, that these funds may be expended for professional development related to these programs; provided further, that the department shall issue a report not later than February 2, 2010, and annually thereafter as a condition of continued funding under this account, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2014, inclusive, funded by items 7061-9404 and 7027-0019, school to work accounts, institutions of public higher education, and other sources, including federal sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but not met local graduation requirements, and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that said report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town or regional



school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no costs shall be expended for personnel costs\$9,294,804

- 7061-9408 For targeted intervention to schools and districts at risk of or determined to be under-performing under sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations; provided, that no money shall be expended in any school or district that fails to file a comprehensive district plan pursuant to the provisions of section 1I of said chapter 69; provided further, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners, and such other external assistance as is needed in the expert opinion of the commissioner, to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research-based strategies for increasing student success, professional development teaching the principles of data driven instruction, and funding which helps provide common planning time for teachers within a school and within the school district; provided further, that preference in the awarding of such funds shall be given to professional development in math and English content skills; provided further, that funds from any targeted intervention grant may be used to partially offset the cost of said professional development and common planning time; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials unless the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that the department shall issue a report, not later than February 1, 2010 and annually thereafter describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that such report shall include, but not be limited to: the number of school and school districts eligible to receive such assistance, the number of students attending school in said districts, the nature and type of intervention activities funded through this item, by school and school district, the number of teachers in professional development funded in part through this item, the number of districts with curricula or professional development systems aligned with the Massachusetts curriculum frameworks, and the number that are undertaking that effort with grants funded by this item, the number of outside vendors with whom the department has contracted to provide intervention and turnaround services, the amount each vendor has received and the results obtained



in each instance, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs before, and during, the period of intervention and turnaround and any other data relative to the successes achieved or challenges faced by the effort to turn around schools, along with any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; provided further, that said report shall include an analysis of the number of districts with curriculum plans not aligned to the Massachusetts curriculum frameworks, along with any legislative and regulatory recommendations to address the issue; provided further, that said report shall indicate the number of schools which have accepted the commonwealth pilot school model, the reforms which they have undertaken, and the number which have expressed interest in the pilot school option; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have developed a long-term plan to fund such expenditures from the district's operational budget; and provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary.....\$6,900,841

- 7061-9412 For grants to cities, towns, and regional school districts for the purpose of planning for and implementing expanded learning time in the form of longer school days or school years at selected schools; provided, that implementation grants shall only be provided under this item to schools and districts which submitted qualifying applications which were approved by the department in fiscal year 2009 and which including a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels I or II on the Massachusetts Comprehensive Assessment System, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education, and those districts with proposals that include a comprehensive restructuring of the entire school day or year or both to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation or professional development or both; provided further, that the department shall only approve implementation proposals that assume not more than \$1,300 per pupil per year in future state appropriations of expanded learning time implementation funds; provided further, that in extraordinary cases the department may exceed the \$1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 14, 2009; provided further, that in carrying out this item, funds may be expended by the department to evaluate the impact and effectiveness of the program; provided further, that the department shall issue a report, not later than February 2, 2010 on the implementation of plans in all participating districts; provided further, that said report shall include, but not be limited to: the names of schools and school districts participating; the number of students attending these schools and the nature and type of changes made in participating schools as a result



of this program; provided further, that the report shall also include an anticipated budget for this program for the next fiscal year and a breakdown of the distribution of the \$1,300 per student by school; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town, or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education.....\$13,972,375

- 7061-9600 For a discretionary grant pilot program with the purpose of providing monies to school districts and state public institutions of higher education partnering together to offer inclusive concurrent enrollment programs for students with disabilities as defined in section 1 of chapter 71B of the General Law ages 18-22, inclusive; provided, that the grant program shall be limited to said students who are considered to have severe disabilities and have been unable to achieve the competency determination necessary to pass the Massachusetts comprehensive assessment system exam; provided further, that said students with disabilities shall be offered enrollment in credit and noncredit courses that include nondisabled students, including enrollment in noncredit courses and credit bearing courses in audit status for students who may not meet course prerequisites and requirements, and that the partnering school districts shall provide supports, services and accommodations necessary to facilitate a student's enrollment; provided further, that the department, in consultation with the department of higher education, shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in state institutions of higher education and supports college success, work success, participation in student life of the college community and provision of a free appropriate public education in the least restrictive environment; provided further, that funds shall be distributed to the department of higher education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided further, that funds shall be allocated to the department of elementary and secondary education to provide training and technical assistance to school districts for program implementation; and provided further, that the department of elementary and secondary education, in consultation with the department of higher education, shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on said discretionary grant program not later than February 15, 2010.....\$721,000
- 7061-9604 For teacher preparations and certification.....\$1,599,351
- 7061-9611 For grants or subsidies for after-school and out-of-school programs; provided, that preference shall be given to after-school proposals developed collaboratively by public and non-public schools and private community-based programs; provided further, that the department shall fund only those applications which contain accountability systems and measurable outcomes, under guidelines to be determined by the department in consultation with the department of early education and care; provided further, that applicants shall detail funds received from all public sources for existing after-school and out-of-school programs and the types of programs and type of students served by said funds; provided further, that funds may be directed to increase comprehensive after-school and out-of-school



time programming to school age children and youth during the school year and the summer including, but not limited to, 21st century community learning centers programs; provided further, that funds from this item may be used for a variety of activities including, but not limited to: (1) academic tutoring and homework centers where content is linked to and based on the curriculum guidelines promulgated by said department; (2) programs which improve the health of students, including physical activities, athletics, nutrition and health education, and exercise, (3) art, theater, and music programs developed in collaboration with the Massachusetts cultural council, local cultural councils, or cultural organizations in the commonwealth funded by the Massachusetts cultural council; (4) enrichment activities not otherwise provided during the school day; (5) advanced study for the gifted and talented; and (6) community service programs; provided further, that the department of elementary and secondary education shall consult the executive office of health and human services and the department of early education and care to maximize the provision of wrap-around services and to coordinate programs and services for children and youth during after-school and out-of-school time programs; provided further, that the department shall select grant recipients not later than September 30, 2009, and shall report on the preliminary results of said grants not later than February 15, 2010, to the secretary of administration and finance, the house and senate chairs of the joint committee on education, and the chairs of the house and senate committees on ways and means; and provided further, that funds shall be expended to convene regional networks, to work with the department of elementary and secondary education and the department of early education and care to support the implementation of school-community partnerships and to submit a report not later than October 15, 2009, to the general court and the governor making recommendations relative to enhancing school-community partnerships and positive outcomes for children and youth through funding as provided in this item.....\$2,000,000

7061-9619 For the purpose of funding the Benjamin Franklin Institute of Technology; provided, that the institute shall have access to the Massachusetts education computer system; and provided further, that the institute may join the state buying consortium\$1

7061-9626 For grants and contracts with youth-build programs for the purposes of providing comprehensive youth-build services\$670,000

7061-9804 For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that funds from this item shall be expended on content based professional development in math and science, with a focus on increasing the content knowledge of elementary and middle school math and science teachers in districts with a high percentage of students scoring in level 1 or 2 on the math or science Massachusetts Comprehensive Assessment System exams, or in districts which are at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such professional development courses shall demonstrate proven, replicable results in improving teacher and student performance, and shall demonstrate the use of best practices, as determined by the department, including data comparing pre-training and post-training content knowledge; provided further, that the department shall report, not later than February 15, 2010, on the number of educators provided content training under this item, the estimated number of math and science teachers currently teaching without certification, and any legislative or regulatory recommendations necessary to make middle school and elementary math and science education more rigorous and data driven; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees



on ways and means and the house and senate chairs of the joint committee on education; and provided further, that no funds shall be expended for personnel costs\$386,227

Department of Higher Education.

- 7066-0000 For the operation of the department of higher education, the commonwealth's share of the cost of the compact for education, and payments to the New England Board of Higher Education; provided, that the department shall recommend savings proposals that permit public institutions of higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and to utilize resources otherwise available to such institutions; and provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light, power and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges and the University of Massachusetts shall transfer to the General Fund from the funds received from the operations of the projects such costs, if any, as shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the commissioner of higher education and approved by the secretary of administration and finance.....\$2,392,549
- 7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws\$1,250,000
- 7066-0025 For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that all scholarship programs receiving funding through this item shall follow the same guidelines as detailed in item 7070-0065 of section 2 of chapter 182 of the acts of 2008; provided further, that funds from this item may be expended for the administration of the scholarship program; provided further, that the commissioner of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning who are in the custody of the department of children and families under a care and protection petition upon reaching the age of 18, or in the custody of the department matriculating at such an institution at an earlier age shall be funded from this item; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; and provided further, that this aid shall not exceed \$6,000 per recipient per year; provided further, that this aid shall be granted after exhausting all other sources of financial support; provided further, that funds shall be expended for reimbursement of the adopted child and foster children tuition and fee waivers under section 19 of chapter 15A of the General Laws; and provided further, that no funds shall be distributed from this item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for adopted and foster children attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the board of higher education\$84,024,779
- 7077-0023 For a contract with the Tufts School of Veterinary Medicine; provided, that funds appropriated in this item shall be expended under the resident veterinary tuition



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| | remission plan submitted January 8, 1998, for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; and provided further, that the school shall work in consultation with the Norfolk County Agricultural School on veterinary programs..... | \$2,500,000 |
| 7520-0424 | For a health and welfare reserve for eligible personnel employed at the community and state colleges | \$5,494,616 |
| <i>University of Massachusetts.</i> | | |
| 7100-0200 | For the operation of the University of Massachusetts, including capital lease payments to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center, facilities costs associated with the college of visual and performing arts at the University of Massachusetts Dartmouth, and the University of Massachusetts Amherst Cranberry Station; provided, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that funds may be expended for the operation of the University of Massachusetts Boston's Edward J. Collins Center for Public Management; provided further, that funds may be expended for the operation of the department of higher education's Commonwealth College honors program at the University of Massachusetts Amherst; provided further, that funds may be provided to the University of Massachusetts Medical School to enhance efforts to increase the number of graduating medical students in primary care specialties; and provided further, that the governor may allocate \$83,431,964, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$408,820,034 |
| 7100-0300 | For the operation of the Toxics Use Reduction Institute program at the University of Massachusetts Lowell, in accordance with section 6 of chapter 21I of the General Laws..... | \$1,228,972 |
| 7100-0700 | For the operation of the office of dispute resolution at the University of Massachusetts Boston under section 46 of chapter 75 of the General Laws..... | \$145,302 |
| <i>State Colleges.</i> | | |
| 7109-0100 | For Bridgewater State College; provided, that the governor may allocate \$5,381,997, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$34,153,292 |
| 7110-0100 | For Fitchburg State College; provided, that the governor may allocate \$3,595,755, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$24,213,899 |
| 7112-0100 | For Framingham State College; provided, that the governor may allocate \$4,311,031, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$20,541,080 |



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| 7113-0100 | For the Massachusetts College of Liberal Arts; provided, that the governor may allocate \$2,063,217, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$12,309,513 |
| 7114-0100 | For Salem State College; provided, that the governor may allocate \$7,322,978, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$32,501,837 |
| 7115-0100 | For Westfield State College; provided, that the governor may allocate \$3,038,220, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$20,184,505 |
| 7116-0100 | For Worcester State College; provided, that the governor may allocate \$3,166,568, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$20,501,687 |
| 7117-0100 | For the Massachusetts College of Art; provided, that the governor may allocate \$4,034,976, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$11,167,184 |
| 7118-0100 | For the Massachusetts Maritime Academy; provided, that the governor may allocate \$2,969,817, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$11,107,771 |

Community Colleges.

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| 7502-0100 | For Berkshire Community College; provided, that the governor may allocate \$1,156,870, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$8,226,345 |
| 7503-0100 | For Bristol Community College; provided, that the governor may allocate \$2,488,902, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein | \$13,687,490 |
| 7504-0100 | For Cape Cod Community College; provided, that the governor may allocate \$1,740,986, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$9,829,611 |
| 7505-0100 | For Greenfield Community College; provided, that the governor may allocate \$1,159,094, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$8,062,547 |
| 7506-0100 | For Holyoke Community College; provided, that the governor may allocate \$2,777,524, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$15,973,761 |
| 7507-0100 | For Massachusetts Bay Community College; provided, that the governor may allocate \$1,756,918, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$12,286,568 |
| 7508-0100 | For Massasoit Community College; provided, that the governor may allocate \$2,938,912, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$17,407,014 |
| 7509-0100 | For Mount Wachusett Community College; provided, that the governor may allocate | |



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| | \$2,407,460, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$10,427,486 |
| 7510-0100 | For Northern Essex Community College; provided, that the governor may allocate \$2,610,296, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$16,554,154 |
| 7511-0100 | For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College; provided, that the governor may allocate \$2,964,511, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$17,638,434 |
| 7512-0100 | For Quinsigamond Community College; provided, that the governor may allocate \$2,260,435, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$12,974,525 |
| 7514-0100 | For Springfield Technical Community College; provided, that the governor may allocate \$3,976,095, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$20,720,495 |
| 7515-0100 | For Roxbury Community College; provided, that the governor may allocate \$2,104,852, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$9,266,398 |
| 7515-0121 | For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed \$529,843 received from fees, rentals, and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets, Roxbury Community College athletic events, other special athletic events, conferences, meetings, and programs; and provided further, that only expenses for contracted services associated with these events and for the capital needs of the facility shall be funded from this item..... | \$529,843 |
| 7516-0100 | For Middlesex Community College; provided, that the governor may allocate \$3,099,228, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$16,979,751 |
| 7518-0100 | For Bunker Hill Community College; provided, that the governor may allocate \$3,180,594, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... | \$17,697,906 |

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

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| 8000-0000 | For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000 | \$1,988,884 |
| 8000-0038 | For the operation of a witness protection program pursuant to chapter 263A of the General Laws | \$348,491 |



Office of Chief Medical Examiner.

8000-0105 For the operation of the office of the chief medical examiner established pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the house and senate committees on ways and means not later than January 15, 2010 detailing the caseload of said office; and provided further, that said report shall include, but not be limited to, the number of toxicology tests, the reduction of turnaround time of toxicology tests and the reduction of the case backlog, the number of autopsies performed, the number of cases under the office's jurisdiction, the number of external exams performed, the number of cases determined to be homicides, and the number of cremations performed under the office's jurisdiction in 2008 and 2009.....\$7,880,997

State Police Crime Laboratory.

8000-0106 For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the agency shall contract with a public institution to conduct testing for criminal cases; provided further, that the agency shall enter into agreements with the various district attorneys to provide forensic services for criminal cases brought forth by the commonwealth; provided further, that the practices and procedures of the state police crime laboratory shall be informed by the recommendations of the Forensic Sciences Advisory Board; and provided further, that the agency shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security, not later than December 31, 2009, concerning, but not limited to, the detailing of the number of cases introduced to the CODIS database, the number of confirmations attained from the CODIS database, and the number of cases referred to district attorney delineated by county.....\$14,610,000

Criminal History Systems Board.

8000-0110 For the operation of the criminal history systems board; including criminal justice information services, criminal offender record information services, firearms support services, and victim services; provided further, that funds shall be expended for the purpose of enabling local housing authorities' access to criminal offender record information when qualifying applicants for state-assisted housing\$2,123,066

8000-0122 For the office of the chief medical examiner which may expend for its operations an amount not to exceed \$1,700,000 in revenues collected from fees for services provided by the chief medical examiner; provided, that notwithstanding any general or special law to the contrary, for the purposes of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the agency may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$1,700,000

Sex Offender Registry.

8000-0125 For the operation of the sex offender registry program including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that the \$75 registration fee paid by convicted sex offenders shall be directed from the General Fund to the



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| | Massachusetts office for victim assistance | \$3,983,913 |
| 8000-0202 | For the purchase and distribution of sexual assault evidence collection kits..... | \$102,240 |
| 8000-1700 | For the provision of information technology services within the executive office of public safety and security | \$21,264,358 |

Department of State Police.

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| 8100-0000 | For the administration and operation of the department of state police; provided, that the department shall expend funds from this item for the purpose of maximizing federal grants for the operation of a counter-terrorism unit; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of energy and environmental affairs at no cost to, or compensation from, that office; provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than January 30, 2010, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last 5 years, which shall detail, on a monthly basis: the total number of hours worked on traffic details by state police officers, the total amount paid to state police officers for traffic details, the standard hourly rates for traffic details performed by state police officers and the city or town in which traffic details are performed by state police officers; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board..... | \$226,222,904 |
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| General Fund | 70.00% |
| Highway Fund | 30.00% |

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| 8100-0006 | For private police details; provided, that the department may expend up to \$19,000,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2010 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2010..... | \$19,000,000 |
| 8100-0007 | For the overtime of state police officers, including the operation of the drug enforcement task force; provided, that the department shall furnish, on a quarterly basis, a report to the house and senate committees on ways and means outlining by category, the division and cost in which overtime hours were worked and a detailed report on the department's efforts to reduce overtime use..... | \$5,000,000 |



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| General Fund | 70.00% |
| Highway Fund | 30.00% |

8100-0011 For the department of state police which may expend an amount not to exceed \$3,000,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2010, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (b) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefor; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate \$3,000,000

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| General Fund | 70.00% |
| Highway Fund | 30.00% |

8100-0012 For the department of state police; provided, that the department may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed \$550,000 from fees charged for these services; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system \$550,000

8100-0020 For the department of state police which may expend an amount not to exceed \$35,000 in fees charged for the use of the statewide telecommunications system for the maintenance of the system \$35,000

8100-0101 For the department of state police which may expend for the Governor's Auto Theft



Strike Force an amount not to exceed \$331,200 from fees for services performed through the auto etching program and from assessments upon the insurance industry.....\$331,200

Municipal Police Training Committee.

8200-0200 For the operation of veteran, reserve and in-service training programs conducted by the municipal police training committee; provided, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item.....\$2,883,088

8200-0222 The committee may collect and expend an amount not to exceed \$900,000 for the purposes of providing training to new recruits; provided, that the committee shall charge \$2,500 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of \$2,500 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2009; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2009 and 2010; provided further, that the report shall be submitted to the house and senate committees on ways and means no later than January 1, 2010; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$900,000

Department of Public Safety.

8311-1000 For the administration of the department of public safety, including the board of



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| | building regulations and standards and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the Council for Amusement and Recreational Equipment Safety; and provided further, that the department may charge fees for amusement operator certification..... | \$1,921,584 |
| 8315-1000 | For the administrative costs of the division of inspections; provided, that the expenses of the state boxing commission shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of public safety; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspector's duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that any such additional engineer inspector and elevator inspector shall be regular state employees compensated from the AA object class of this item; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 1, 2009; provided further, that the division shall maintain an electronic database that shall include, but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; and provided further, that the division shall inspect all elevators in the state house and the John W. McCormack state office building..... | \$4,930,555 |
| 8315-1020 | For the department of public safety which may expend not more than \$1,816,997 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing elevator inspection backlog; provided further, that the department shall make efforts to employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal Supplemental Security Income benefit, or \$7,236 a year, whichever is greater; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$1,816,997 |
| 8315-1025 | For the department of public safety which may collect and expend an amount not to exceed \$130,000 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$130,000 |



Department of Fire Services.

- 8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program, the board of fire prevention regulations, under section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission, and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training, and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that not less than \$1,200,000 shall be expended for the SAFE program, which shall include information about the fire risks caused by smoking; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office and the Massachusetts firefighting academy shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the operation of the hazardous materials emergency response program shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program \$11,863,693
- 8324-0304 For the department of fire services; provided, that the department may expend for the purposes of enforcement and training an amount not to exceed \$25,000 from revenue generated under chapter 148A of the General Laws and sections 8 and 9 of chapter 304 of the acts of 2004 \$25,000

Military Division.

- 8700-0001 For the operation of the military division, including the offices of the adjutant general and state quartermaster, the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws \$9,207,659
- 8700-1140 The military division may expend for the costs of national guard missions and division operations an amount not to exceed \$1,400,000 from fees charged for the non-military rental or use of armories and from reimbursements generated by national guard missions \$1,400,000
- 8700-1150 For reimbursement of the costs of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the Massachusetts national guard; provided



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| | further, that funds from this item may be expended through August 31, 2010 for the reimbursement of the tuition and fees waived for classes taken during the summer months..... | \$4,031,738 |
| 8700-1160 | For life insurance premiums under section 88B of chapter 33 of the General Laws | \$1,575,900 |
| <i>Massachusetts Emergency Management Agency.</i> | | |
| 8800-0001 | For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities..... | \$1,370,077 |
| 8800-0100 | For the Pilgrim Nuclear Power Plant Nuclear Safety Preparedness Program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department..... | \$386,359 |
| 8800-0200 | For the Seabrook and Vermont Yankee Power Plants Nuclear Safety Preparedness Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950 include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, “electric companies” shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants..... | \$282,839 |
| <i>Department of Correction.</i> | | |
| 8900-0001 | For the operation of the department of correction; provided, that before closing any correctional facility, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, that in an effort to monitor and reduce current levels of over-classification, the department of correction shall provide quarterly reports to the joint committee on public safety and homeland security and the house and senate committees on ways and means with data on the number of prisoners at each security level; provided further, that the department may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the parole board and the sex offender registry board; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B..... | \$525,162,515 |
| 8900-0010 | For prison industries and farm services | \$2,620,247 |



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| 8900-0011 | For a prison industries and farm services revenue retention account; provided, that the department may expend an amount not to exceed \$2,600,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... | \$2,600,000 |
| 8900-0045 | For the department of correction which may expend for the operation of the department, including personnel-related expenses, an amount not to exceed \$3,000,000 from revenues received from federal inmate reimbursements; provided, that \$900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$3,000,000 |
| 8900-1100 | For re-entry programs at the department of correction intended to reduce recidivism rates | \$594,745 |

County Correction.

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| 8910-0000 | For a reserve to provide funds for certain costs of the Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth and Suffolk sheriffs' departments including, but not limited to, employee health care, retirement, and Plymouth correctional facility debt service; provided, that the county finance review board shall consult the public employee retirement administration commission about sheriff employee retirement costs before distributing funds to county retirement systems; provided further, that the secretary of administration and finance may transfer from the sum appropriated in this item to other items of appropriation; provided further, that the transfers may be expended solely for the purposes authorized by the secretary; and provided further, that the county government finance review board shall approve all transfers from this item..... | \$70,407,014 |
| 8910-0002 | For the administration of a sex offender warrant unit program in the Barnstable county sheriff's office; provided, that the unit shall support the regional Cape Cod sex offender management task force, provide address verification and maintain a regional sex offender database for local law enforcement..... | \$63,900 |
| 8910-0003 | For 2 regional behavioral evaluation and stabilization units to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the units..... | \$2,186,871 |
| 8910-0010 | For the purpose of funding expenses for services provided to inmates of county correctional facilities by the department of public health's Lemuel Shattuck hospital; provided, that the department shall notify the county government finance review board and the comptroller of all such expenses; provided further, that not more than 30 days after receiving such notification, the board shall certify to the comptroller the amount of these expenses to be charged to this item; provided further, that upon receiving such certification, the comptroller shall effect the transfer of such amount from this item to item 4590-0903 of section 2B; and | |



provided further, that actual and projected payments shall be considered expenditures and reflected in each sheriff's spending plan.....\$2,172,244

Sheriffs.

- 8910-0102 For the operation of the Hampden sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B.....\$66,350,440
- 8910-0105 For the operation of the Worcester sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services\$41,027,358
- 8910-0107 For the operation of the Middlesex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services\$60,831,296
- 8910-0108 For the operation of the jail, house of correction and any other statutorily-authorized facilities and functions under the administration of the office of the sheriff of Franklin county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B.....\$8,878,719
- 8910-0110 For the operation of the Hampshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B.....\$11,876,291
- 8910-0145 For the operation of the Berkshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services\$14,584,616
- 8910-0160 For the Middlesex sheriff's department which may expend for the operation of the department an amount not to exceed \$850,000 from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained



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| | revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$850,000 |
| 8910-0188 | For the Franklin sheriff's department which may expend for the operation of the department an amount not to exceed \$2,600,000 from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$2,600,000 |
| 8910-0445 | For the Berkshire sheriff's department which may expend for the operation of the department an amount not to exceed \$250,000 from revenues generated from the operation of the Berkshire county communication center's 911 dispatch operations and other law enforcement related activities..... | \$250,000 |
| 8910-0446 | For the Berkshire sheriff's department which may expend for the operation of the department an amount not to exceed \$1,000,000 from revenues collected from the city of Pittsfield public school system; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$1,000,000 |
| 8910-0619 | For the operation of the Essex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B..... | \$45,140,720 |
| 8910-1000 | For the Hampden sheriff's department which may expend for prison industries programs an amount not to exceed \$1,594,460 from revenues collected from the sale of prison industries products | \$1,594,460 |
| 8910-1100 | For the Middlesex sheriff's department which may expend for prison industries programs an amount not to exceed \$100,000 from revenues collected from the sale of prison industries products..... | \$100,000 |
| 8910-1112 | For the Hampshire sheriff's department which may expend for the operation of the Hampshire county regional lockup at the Hampshire county jail an amount not to exceed \$250,000 in revenue; provided, that that the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for those detentions from the law enforcement agencies and municipalities..... | \$250,000 |
| 8910-2222 | For the Hampden sheriff's department which may expend for the operation of the department an amount not to exceed \$320,000 from federal inmate reimbursements; provided, that \$312,000 from the reimbursements shall not be available for expenditure and shall be deposited into the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and | |



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| | related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$320,000 |
| 8910-6619 | For the Essex sheriff's department which may expend for the operation of the department an amount not to exceed \$2,000,000 from revenues received from federal inmate reimbursements; provided, that \$150,000 from the reimbursements shall not be available for expenditure and shall be deposited quarterly into the General Fund before the retention by the department of any of these revenues as certified by the comptroller; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... | \$2,000,000 |
| 8910-7100 | For the Massachusetts Sheriffs Association which may expend for its operation an amount not to exceed \$344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the executive director of the association shall submit a report that shows the amounts of all grants awarded to each sheriff in fiscal year 2009; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2010..... | \$344,790 |
| 8910-8200 | For the operation of the Barnstable sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services | \$21,176,700 |
| 8910-8210 | For the Barnstable sheriff's department which may expend for the operation of the department an amount not to exceed \$250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$250,000 |
| 8910-8300 | For the operation of the Bristol sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B..... | \$27,256,334 |
| 8910-8310 | For the Bristol sheriff's department which may expend for the operation of the | |



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| | department an amount not to exceed \$6,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$6,500,000 |
| 8910-8400 | For the operation of the Dukes sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services | \$2,567,765 |
| 8910-8500 | For the operation of the Nantucket sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B..... | \$782,593 |
| 8910-8600 | For the operation of the Norfolk sheriff's department provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services | \$22,871,958 |
| 8910-8610 | For the Norfolk sheriff's department which may expend for the operation of the department an amount not to exceed \$2,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$2,500,000 |
| 8910-8700 | For the operation of the Plymouth sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B..... | \$23,943,379 |
| 8910-8710 | For the Plymouth sheriff's department which may expend for the operation of the department an amount not to exceed \$16,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system | \$16,000,000 |



8910-8800 For the operation of the Suffolk sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services \$85,442,734

8910-8810 For the Suffolk sheriff's department which may expend for the operation of the department an amount not to exceed \$8,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system \$8,000,000

Parole Board.

8950-0001 For the operation of the parole board..... \$18,572,321

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws \$217,185

8950-0008 For the parole board which may expend for the operation of the parole board's sex offender management program and the supervision of high-risk offenders an amount not to exceed \$600,000 from fees charged for parolee supervision \$600,000

Registry of Motor Vehicles.

8400-0001 For the administration and operation of the registry of motor vehicles, including the title division and including all rent and related parking and utility expenses of the registry; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of the computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth under section 183 of chapter 6 of the General Laws; provided further, that the registry shall establish and maintain a record of all vehicles leased within the commonwealth for a period longer than 30 days; provided further, that the record shall include, but not be limited to, the names and addresses of the lessor and the lessee; and provided further, that the registry shall take all steps necessary to improve customer service within existing resources \$41,400,708

Highway Fund 100.0%

8400-0011 For the registry of motor vehicles which may expend for additional expenses associated with the production of drivers' licenses, state identification cards and motor vehicle license plates an amount not to exceed \$6,393,906 from revenue collected from fees charged by the registry; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the registry may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system \$6,393,906



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| 8400-0016 | For the operation of the motorcycle safety program..... | \$189,958 |
| | Highway Fund | 100.0% |
| 8400-0100 | For the operation of the safe driver insurance plan pursuant to section 113B of chapter 175 of the General Laws, including the rent, related parking and utility expenses of the motor vehicle insurance merit rating board; provided, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for a non-criminal motor vehicle traffic violation as described in chapter 90C of the General Laws | \$7,613,529 |
| | Highway Fund | 100.0% |

DEPARTMENT OF ELDER AFFAIRS.

Office of the Secretary.

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| 9110-0100 | For the operation of the executive office and regulation of assisted living facilities; provided, that the secretary shall continue to support community care ombudsman services; and provided further, that the executive office of elder affairs shall report annually to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for such units | \$2,404,526 |
| 9110-1455 | For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that funds shall be expended for the operation of the pharmacy outreach program established in section 4C of chapter 19A of the General Laws; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs, and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to said section 39 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with regard to any other third-party prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that this program shall be subject to appropriation and, in fiscal year 2010, expenditures shall not be more than the amount authorized in this item; provided further, that no action shall be taken to expand the benefits of the program, extend benefits to additional populations or reduce cost sharing in the program without approval of the general court; provided further, that the department shall submit drafts of legislation required to implement such actions for review and analysis by the general court; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of said benefit; provided further, that the department shall provide assistance for prescription drug costs to enrollees who qualify for Medicare Part D as well as assistance for premiums, deductibles, payments, and co-payments required by the Part D or Medicare Advantage plans, or by other plans which provide creditable prescription drug coverage as defined by section 104 of said Medicare Modernization Act, and which provide coverage of the cost of prescription drugs actuarially equal to or better than that provided by Medicare Part | |



D; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; provided further, that the department shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year; and provided further, that the secretary of elder affairs shall not implement cost sharing increases during fiscal year 2010 unless such cost sharing increases have been approved by the general court..... \$30,000,000

- 9110-1555 For the operation of elder home care purchase-of-service programs including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services, and other services provided to the elderly, and case management to elders who meet the eligibility requirements of the home care program and those who need services above the level customarily provided under the program to remain safely at home, and for the elder lunch program; provided, that the department shall actively seek to obtain federal financial participation for all services provided to seniors who qualify for Medicaid benefits under the section 1915C waiver; provided further, that the executive office shall collect income data on persons receiving services provided in this item; provided further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2009 federal poverty income levels and 2009 social security income standards; provided further, that this report shall be submitted not later than February 1, 2010; provided further, that a sliding fee shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding fees in cases of extreme financial hardship; provided further, that not more than \$11,500,000 in revenues accrued from sliding fees shall be retained by the individual qualified entities without re-allocation by the executive office and shall be expended for the purposes of the elder home care purchase-of-service programs consistent with guidelines issued by the executive office; and provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding fees..... \$177,694,425
- 9110-1636 For the elder protective services program, including protective services case management, guardianship services, the statewide elder abuse hotline, money management services and the elder-at-risk program \$16,252,499
- 9110-1800 For the operation of the supportive senior housing program, including congregate and shared housing services for the elderly; provided, that funds may be expended for residential assessment and placement programs for homeless elders..... \$5,518,419
- 9110-9002 For the local services program for grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means \$7,463,424

LEGISLATURE.

Senate.

- 9500-0000 For the operation of the senate \$17,636,527



House of Representatives.

9600-0000 For the operation of the house of representatives \$31,302,640

Joint Legislative Expenses.

9700-0000 For the joint operations of the legislature..... \$6,492,232